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THE INDETERMINATE SENTENCE.*

By Eugene Smith.

Our criminal law is the product of growth—the growth of many centuries. This growth in its progress has modified the definitions of crimes and has added new ones, thus keeping pace with the exigencies of the time, and it has enlarged or alleviated the prescribed punishments. The underlying principle has never been changed—that each specified crime should have attached to it a precise, defined punishment. Every crime thus bears the nature of a commodity labelled with its price; any one indulging in its commission must simply pay the cost fixed by statute, and having honestly undergone the prescribed punishment he has discharged his obligation and balanced his account with the state. In other words, the pervading theory on which our entire system of criminal jurisprudence has been evolved, is the ancient theory in which it had its first beginnings—the theory of *retribution*. According to this theory, the criminal must be *punished*. Crimes must be graded according to their varying enormity, and the penalties exacted must be commensurate with that enormity. The theory makes the attitude of the state toward crime not so much repressive as vindictive: it treats the criminal, not as endangering the safety of the people, but as offending against the sacred majesty of the state; hence, he must be made to suffer, in order that that majesty may be asserted and its violation avenged.

It is the consistent corollary of this theory "to make the punishment fit the crime"; every penalty inflicted must necessarily be graduated in correspondence with the gravity of the offence to be punished. So deeply is this theory of retribution ingrained, not only in the criminal law but in the English language, that it is difficult to treat of the duty of the state toward criminals without using such words as "punishment," "penal," and "penalty," which imply that the state is an avenger, pursuing the criminal with a vindictive purpose.

At the same time, the theory itself of retributive punishment for crime, although so imbedded in language and in law, is no longer accepted as true. It is now almost universally received that the proper object of the state in the treatment of criminals is the *protection* of society. Crime is a menace not only to government, but to civilization, and hence arises the duty of the state to shield the people from its ravages. In imprisoning a criminal, the state cannot justly be actuated by any vindictive aim with reference to the prisoner; its only justification for the imprisonment is that the protection of society demands it. According to this modern theory of protection, the state stands toward a criminal very much as it does toward a lunatic of violent and dangerous proclivities, and it places them both in confinement for the same reason: because the public safety requires that they should not be at large. And, practically, it is no less unreasonable and absurd to sentence a burglar to five years' imprisonment, than it would be to commit a lunatic to an insane asylum for the pre-ordained term of five years. The lunatic must stay until cured of his lunacy; and if that should prove incurable, it is thought to be no unwarrantable invasion of individual right to continue the confinement until death brings release. The logical term of imprisonment for crime is measured not by time, but by the exigencies of the public safety. To let loose a prisoner when it is morally certain that he will immediately resume a course of criminal depredation, is in palpable violation of the first duty that the state owes to its citizens; and every reason which justified the original incarceration now demands its continuance.

These arguments have, within the past few years, become quite familiar, and their logic is thoroughly unanswerable. The only logically defensible or rational sentence for crime is the indeterminate sentence; a sentence which fixes in advance no arbitrary term of imprisonment, but continues in force until the prisoner has undergone such a reformation of character that it is *safe* to let him go. A sentence for a fixed term of years, liable to be shortened by the prisoner's good conduct, is not, properly speaking, an indeterminate sentence, nor does it differ in principle from the present "good time" law. The indeterminate sentence is that which has no fixed maximum or minimum of duration, and it is in this sense only that the term is used in the present paper.

But in so wide and practical a subject as the treatment of crime, it is always dangerous to trust to mere logic or to rest satisfied with the perfection of a theory. There are many phases of the indeterminate sentence that still demand the most anxious consideration before it can be accepted as a safe and practical measure.

The indeterminate sentence makes the prisoner's release dependent upon his reformation. But, suppose that life in prison is not conducive to reformation, that it tends inherently to deteriorate and debase the prisoner. Speaking generally, that is now undeniably the fact. Save in rare and exceptional cases, the convict emerges from the prison a more desperate criminal than when he entered it. Vicious companionship and stern treatment school and harden him in vice; he comes out an *ex-convict*, which is a synonym for that which is the terror and scourge of civilization. The introduction of the indeterminate sentence in our prisons, as they are now constituted and administered, would mean, therefore, in most cases, imprisonment for life. That result may be perfectly defensible in theory, but it involves two most serious consequences. The prisons, receiving a constant in-flow and relieved by hardly any out-flow, would in a few years become entirely inadequate to contain the convict class. A worse consequence would be a reactionary one. When it came to be understood that a verdict of guilty meant really imprisonment for life, it would be extremely difficult to secure a conviction for crime. In the very large majority of cases the punishment would impress the public mind as excessive, and through a popular sympathy, whether false and ill-grounded or not, the guilty would escape. A century ago there were 223 capital offences under the English law. The revolt of public sentiment against the infliction of the death penalty for minor felonies rendered convictions impossible and necessitated a mitigation of the penal code. A similar revolt would follow the present introduction of the indeterminate sentence into our existing criminal procedure; the public judgment would condemn it as a measure of unwarrantable severity.

* Read at the Toronto Prison Congress.

Would the public disapproval of this measure be wholly unreasonable? Consider that the convict immured in our prisons *as they now are* is placed in an environment from which every elevating and inspiring element has been eliminated. In a free society there is a certain moral tone and savor in the very air we breathe, inciting to worthy endeavor, strengthening to those who are morally weak, stimulating to honorable purpose and the better impulses. This force of public sentiment is so pervading that no one can escape its healthful influence, and so powerful that it has sufficed of itself to restrain many a man from a life of crime. The convict when imprisoned loses the moral support which other men draw from this invigorating source. There is no quickening element, no ozone, in the social atmosphere of the prison. Condemned to a life of monotonous toil, surrounded by debasing influences, subject to harsh, and often unjust, treatment, with no aim or object set before him that can excite worthy ambition or stir humane impulse, or awaken intellectual interest, sinking lower and lower by the natural gravitation of vice when unchecked by any counteracting influence from without, how can the convict heal himself or work out his own salvation? Self-reformation under such circumstances, and they are the *existing* circumstances, falls little short of a miracle of divine grace. Shall the state, which has itself created the environment that renders reformation morally impossible, yet demand of the convict that he *reform* as the condition of his release? The essential injustice of such a requirement would find a parallel in ancient history:

"And Pharaoh commanded . . . the task-masters of the people and their officers, saying: Ye shall no more give the people straw to make brick as heretofore; let them go and gather straw for themselves. . . . Then the officers of the children of Israel came and cried unto Pharaoh, saying. . . . There is no straw given unto thy servants, and they say to us Make brick; and, behold, thy servants are beaten; but the fault is in thine own people. But he said . . . Go, therefore now and work; for there shall no straw be given you, yet shall ye deliver the tale of bricks."

Another serious objection urged against the indeterminate sentence relates to the difficulty of establishing a reliable *test* of reformation. The present modes of prison administration afford no means of disclosing the individuality of any prisoner. The convicts are treated in the mass; their labor is so thoroughly mechanical and monotonous as to furnish no inkling of the existence of any special capabilities; the manifestation of distinctive traits of character is repressed by a regimen which is both stern and absolutely uniform; the only "good conduct" possible to the prisoner consists in the mechanical performance of his allotted work and in the rigid observance of rules of discipline. But such "good conduct," technically so called, demands only a moderate degree of self-control and strength of purpose which the worst criminals are quite capable of exerting under the stimulus of hastening their release. The fact remains that the only test which the present prison system applies, or can apply, to the convict to determine his fitness for freedom, discloses not the slightest information regarding his mental capacities or his moral qualities; and it is a test which those prisoners who are the most vicious and the most dangerous often undergo with the greatest success.

These considerations go to show—conclusively, I think—the practical incompatibility of the indeterminate sentence with our present penitentiary system. The immediate introduction of this plan of sentence into the existing hard-labor prisons would serve no useful purpose; more probably, like the putting of new wine into old bottles, it would result in some injurious catastrophe. This conclusion, however, affords no argument against the indeterminate sentence. If the prisons are not adapted to the indeterminate sentence, so much the worse for the prisons. The objections urged against the present adoption of the indeterminate sentence serve only to bring into strong light the radical defects of our prison system.

The plan of reformatory treatment for criminals has been confined in this western hemisphere almost exclusively to the young. The idea of extending the same or a similar plan to the whole convict class, of introducing reformatory systems into all the State prisons, penitentiaries, and convict prisons of whatever grade, while it has been generally favored by students in Prison Reform, has received little practical encouragement from State governments. It seems, however, fairly capable of demonstration that such an extension of reformatory methods could not but be attended with striking results.

Any American college contains a body of students of about the same age with the inmates of the Elmira Reformatory; but I have never seen in any college or professional school more intense application or any greater earnestness, and even ardor, in study than is manifested by the more advanced classes in the Elmira Reformatory. There are two main facts which furnish the sufficient explanation of this phenomenon. First, the *incentive* to effort is exceptionally strong; restoration to freedom is the prize, and the longing to attain it yields an extremely urgent stimulus. Second, the outside interests and pursuits, which, with the ordinary student, fill a large part of his life and militate against an engrossing devotion to study, are lacking to the convict; the prescribed routine of his daily life is his sole pursuit; his mind is freed from the distraction of conflicting diversions and occupations; and so his studies may become, perforce, the main interest in his life.

Now, it is often said that the population of the Elmira Reformatory is made up of picked men—the most hopeful and promising specimens of the convict class. If this is true, it is also true that human nature and the criminal nature are very much the same everywhere. Intellectual education and moral education are possible in any prison, under the stimulus of a hope for freedom; and such education from its essential nature *must* exert elevating and broadening influences. The mere study of books is only one, and often a subordinate, means of education. Industrial training and training in the mechanical arts are often found to be most potent in developing latent capacities. The greatest desideratum is to awaken in the convict's mind some new interest which by nurture shall be made strong enough to exclude and overmaster the criminal impulse. The varied methods of reformatory treatment which have proved so effective with youthful felons, and other methods analogous to them and suggested by them, are readily adaptable in every prison; the stringent impulse of a desire for freedom would strongly tend to secure the prisoner's co-operation, and it may be confidently expected that a very large percentage of all convicts would be found responsive to these benign methods. Some convicts are undoubtedly beyond the reach of salvation by any human means—hopelessly given over to crime; but if the state shall have exhausted every known resource in the effort to redeem them, and shall have surrounded them with every practical appliance and inducement to aid the process of reformation, such incorrigible criminals will have themselves alone to blame for their inflexible obduracy. The state will have discharged its full duty, and public sentiment as well as justice must approve of their continued imprisonment during life.

The substitution of the reformative for the vindictive method of treatment will also fully meet the objection to the indeterminate sentence, that "good conduct" in prison is no test of character. We have seen that that form of convict treatment which now generally prevails, and which is aptly called penal servitude, yields no facilities whatever for observing or influencing or testing the inward character of the prisoner; it deals solely with the outward conduct. But transform the prison into a training-school—divide the prisoners among grades and classes—ply them with varied tasks, now calling into exercise their reasoning powers, now testing

their industrial skill, now taxing their mechanical ingenuity, now appealing to and developing their moral instincts, now trying their power of steady application and of self-control, now investing them with responsibilities and measuring the fidelity with which they discharge them, probing always to find some special capacity or to awaken some special interest capable of culture and expansion, searching for the spark of manhood, which almost always remains somewhere, and, when reached, fanning it into life. By the application of these broad, reforming measures the character of each convict must inevitably unfold itself so that it can be read with almost unerring accuracy. Shams are hardly possible under a system so searching ; and an ordinarily intelligent observer of human nature can form a pretty reliable estimate as to the *safety* of a discharge.

The indeterminate sentence, therefore, must not be regarded as an independent measure capable of adaptation anywhere. It is, rather, a vital part of a very broad system of reform : inseparable from the system, and essentially dependent on it for its efficacy. It is useless to disguise the fact that the adoption of this system will involve very radical changes in our methods of prison administration, but they are changes which logically follow the abandonment of the now obsolete theory of imprisonment only for retribution and vengeance. The public weal demands not vengeance, but protection ; and the only protection is found not in sheer punishment, but in reform.

There are many phases of this interesting subject that cannot be even touched upon within the very determinate limits of this paper ; and I can only undertake to add some brief suggestions touching the application of the indeterminate sentence and the kind of offences to which it is adaptable.

In the list of statutory offences, the proper treatment of those which are lowest in the scale occasions perhaps the greatest perplexity. The great majority of arrests is made for misdemeanors, the commission of which interferes with public order, but is not in any high degree dangerous to the community. By far the most prominent among these misdemeanors is that dual offence of "drunkenness and disorderly conduct," for which the staple sentence is imprisonment for five, ten, or thirty days. The infliction of this sentence brings added debasement both to the offender and to his fellow-prisoners and serves no deterrent or useful purpose whatever. The culprit will pretty surely repeat the offence and undergo another short term of imprisonment, and so on and on, until in some individual cases the re-commitments are known to have reached fifty and upward in number. These short sentences, indefinitely repeated, are a reproach to the criminal law and a disgrace to civilization.

But what shall be done with these persistent misdemeanants ? In many, and perhaps the majority of such cases, the safety of society hardly requires, and therefore does not justify, either imprisonment for life or the adoption of any very extreme measure of severity. Most instances of confirmed drunkenness are cases of physical disease more amenable to medical than to penal treatment. To meet such cases, the measures of treatment practised in an inebriate asylum should be applied and enforced in the prison ; and offenders, who are susceptible of recovery through these methods, should unquestionably remain until cured. In all cases of petty misdemeanor I think the system of solitary confinement should be rigidly applied during the period of imprisonment for the *first offence*. For the second offence and for every subsequent repetition of it, the principle of cumulative sentences should be called into requisition, the length of the term of imprisonment always increasing in an ascending ratio. The prisoner should, of course, be subjected to those reformatory methods already spoken of, which ought to pervade the atmosphere and the life of every prison. But whether the stringent principle of the indeterminate sentence can ever be judiciously applied in its full extent to treatment for all misdemeanors, I seriously question. For it must not be forgotten that an indeterminate sentence may involve imprisonment for life ; and it is only when the persistent commission of a misdemeanor shall imperil the safety of the community to such a degree as to require the life-long confinement of the culprit, that a life sentence can, or ought to, command the moral support of public sentiment.

It is to the class of felonies that the indeterminate sentence is specially applicable. But, as we have found it necessary to except from its operation those misdemeanors that stand lowest in the scale, so we must also eliminate those gravest crimes at the other extreme, which are now punished by death or imprisonment for life. There are crimes which import such a deadly danger to society, that it can never be regarded as prudent or safe to restore to freedom the convict who has committed them. The danger of their repetition outweighs any possible evidence of reformation in their perpetrator.

Excepting, then, those offences which are but slightly injurious and those which are most acutely and irremediably dangerous to the community, the intermediate felonies are the proper subjects for the application of the indeterminate sentence. But even here it is hopeless to expect that the operation of this sentence can ever be made practically infallible. The fitness of a convict for a life of freedom under all the possible tests of reformatory discipline, even when supplemented by the actual trial and restraint of a period of conditional liberation upon parole, can only be determined conjecturally ; it is, at the best, a prophecy based upon probabilities. I believe that, under a correct system, the diagnosis can be made with as great a degree of certainty as that of a physician who pronounces an insane patient cured : substantial accuracy can be attained in reading the convict's present character, and in declaring him *now* reformed. But, about future relapses ? Here, alas, the prison manager, no less than the physician, may make mistakes. One who has once fallen into crime must always remain a subject of keen solicitude. A criminal tendency once manifested indicates some organic or constitutional weakness which *may* be ineradicable ; or, on the other hand, both the original crime and its repetition *may* proceed from causes that are exceptional and may not be the outcome of a radically vicious nature. I think that, in ordinary cases, the convict, upon his first relapse, should have the benefit of this doubt. Allow him a second probation under the indeterminate sentence.

The second trial will be more severe than the first, and the fact that the prisoner has once relapsed will justly demand a firmer assurance of his rehabilitation before trusting him again with freedom. But if the probationer should fall a third time into crime, the clemency of the state can proceed no further ; he should then be adjudged and treated as an incorrigible criminal, and condemned to imprisonment for life. It is thought by some that even then the prisoner should not be absolutely debarred from hope, but that, upon convincing evidence of a radical change of character submitted to a competent tribunal, there should be power vested somewhere to grant a conditional pardon. Perhaps this scheme errs on the side of mercy towards the prisoner ; and, if the power of final pardon is reserved, possibly it would be better to eliminate the second term of probation, and to decree that when the prisoner, having once undergone a course of reformatory treatment, shall relapse into crime, he shall, upon the second conviction, be condemned for life as an incorrigible.

To attain the highest results from the indeterminate sentence, it is essential that the jurisdiction and procedure relating to pardons should undergo thorough revision. The pardoning function should be vested in an official board acting with the formalities and by the methods of a judicial tribunal. And, by constitutional amendment if necessary, the pardon of any convict while serving under an indeterminate sentence, except only where it shall be proved that he

was innocent of the crime for which he was convicted, should be absolutely prohibited and declared illegal.

The indeterminate sentence, with these aids and accompaniments, while affording every protection to the personal rights of the convict, will become a powerful instrumentality of reform ; and it is the logical and indispensable complement of a highly developed prison system.

FAITH, HOPE, AND CHARITY.

"And now abideth faith, hope, charity, these three ; but the greatest of these is charity."

Our friend, Mr. Hale, in rendering these Greek expressions into modern English, has preserved the order in which they are named by the apostle : "Look up, and not down ; look forward, and not back ; look out, and not in, and lend a hand."

Is there not a significance in this order ? Do we not sometimes overlook it ? To us they seem to stand in the relation of the root, the flower, and the fruit. The root must be first, and the fruit last, in the order of nature, which is the divine order.

First, faith in God. Without it, there is no rational basis for hope. Then hope, without which effort for the relief and elevation of mankind is impossible. But with faith and hope in the heart, love for others must follow, as night gives place to day. Not merely love as a sentiment, but love in action : the love which finds expression in self-denial for the sake of helping, the love which bestows one's self on the beloved object, and which counts no soul unworthy of human affection which is not beneath the notice and care of the Father of us all.

So Mr. Hale expresses it. There are three looks—the look upward, to God ; the look forward, to the future ; the look outward, which looks not merely at one's own, but also on the things of others. These three constitute perfect vision, the true beatific vision, which affords delight to the seer, a joy which is not of earth. The light of heaven is in this open eye, and it shines into many a dark place and darkened soul, bringing peace and happiness wherever its glance can penetrate.

But, while we recognize that true love springs from unquenchable faith, and the love which has not this secret spring is a dead and deadly thing, let us not forget that to "lend a hand" is the test of love, and therefore, in the last analysis, the test of faith also.

"And when he saw a fig-tree in the way, he came to it, and found nothing thereon, but leaves only, and said unto it : 'Let no fruit grow on thee henceforward forever !' And presently the fig-tree withered away." This is the picture of the faith which does not find expression in deeds of charity, performed in the spirit of the Master himself, who sought neither recognition nor reward. His curse rests upon it forevermore. Without charity, I am—nothing !

PRIZES FOR ESSAYS ON MEDICO-LEGAL SUBJECTS.

The Medico-Legal Society of New York announces the following prizes for original essays on any subject within the domain of medical jurisprudence or forensic medicine : 1. For the best essay—one hundred dollars, to be known as the Elliott F. Shepard Prize. 2. For the second best essay—seventy-five dollars. 3. For the third best essay—fifty dollars. The prizes are to be awarded by a commission, to be named by the president of the society, which will be hereafter announced. Competition will be limited to active, honorary, and corresponding members of the society at the time the award is made. It is intended to make it open to all students of forensic medicine throughout the world. All details of the award will be determined by the executive committee. The papers must be sent to the president of the Medico-Legal Society of New York, on or before April 1, 1888, or deposited in the post-office, where the competitor resides, on or before that day. The name of the author of any paper will not be communicated to the committee awarding the prizes. All persons desiring to compete for these prizes will please forward their names and address to the president or secretary of the society.

THE INDIAN QUESTION.

By Miss Alice Cunningham Fletcher.*

The Indian question naturally falls under two heads, the land and the man. That is the historical sequence in which the question has come to us. First we saw the importance of the land. Then we began to see that there was a man in the question. When we came to this continent and met the Indians, it was very little to us who they were. To the civilized nations of Europe this country was a new one, and consequently ours by the right of discovery. We sat down upon the edges of the continent, and gradually the Indian was pushed back. The English, of all the peoples who came here were the only people to recognize the right of occupancy by the natives. The Spanish took the lands, and the Indians were hurried off by death or forced into slavery. The French mingled with the natives, entering into trade, moving around about among the tribes, and for a long time made no permanent settlements. But the English came to stay. Consequently, the land was a great deal to them ; and it is to their credit that they recognized the Indian's right of occupancy. The land was either purchased by some form or else it was strictly a matter of conquest, by fighting for it.

Near the beginning of this century, the line that marked the white man's country was drawn from the north to the south. Beyond that was the Indian's country. Even the treaty of Greenville, in the early part of the century, drew that line down from the borders of Lake Erie in Ohio, and made a curve to the Atlantic, near Southern Georgia. Beyond that line lay the Indian's country, where the white man went at his own risk ; for the Indians were authorized by treaty to treat white intruders as they pleased. The French, meanwhile, had slipped round back of this line, by way of the lakes, to the Mississippi, and established relations with the tribes of that region.

Trade was the venturesome pioneer ; posts were established. Gradually, the government began to treat with the Indian for the land about these posts, so that there were scattered through the Indian country little patches of the white man's land. You can track them still by the treaties through Ohio, Indiana, and Illinois. By and by treaties were negotiated for a right of way, so as to form a road between the different places. Thus, if you will picture the country to yourself at that time, you will see that the traders and their white companions were on reservations, surrounded by the Indians. Gradually, by continued cessions of land, these road-ways between the trading-posts grew wider and wider ; and the Indian was pushed farther away, so that in time he himself became corralled, and the white people were all about him. Thus the reservation system grew, until to-day, as you look over the map of the United States, you see the colored blotches which mark the places where we have hedged the Indian in.

We have recognized the Indian's right of occupancy, but the right of eminent domain has been always vested in the government. The Indian does not legally own his land. He can only negotiate with the government, and sell to it his right of occupancy ; but if he himself would own the land on which he and his ancestors before him have lived, he must receive a deed from the United States for that land.

The importance to us of the land it is not necessary for me to dwell upon. You all know it and our country bears the testimony. We have got it from the Indian. He has never been able to stand out on the land question against us. But it is a singular fact that there is one way in which he has stood out, and at last forced us to stop and think ; and that was by his manhood.

The Indians, when we came here, were not a numerous people. It is very questionable if there were five hundred thousand in the present territory of the United States. They were scattered widely, so that there were stretches of forest and prairie lying between the different tribes. There are a great many groups of Indians, distinguished by their language. In speaking of Indians we ordinarily lump them as one, calling them native Americans. Yet they are distinct in their language and in many of their customs, and are as radically different one from another as are many of the branches of our own white race. Along the eastern coast, running up from the lower part of the Potomac toward Labrador, passing through the Canadas and parts of the Central States, and stretching west to the mountains, lived the great Algonquin group. Along the northern region, running from the great lakes through New York to the mountains of East Tennessee, dwelt the Iroquois. Farther west were the great Siouan or Dakota group. By an agreement between the scientific associations, the names that have been given to certain tribes or groups by the first student, become the ones by which they are thereafter known. Thus, Gallatin was the first to classify certain tribes under the name of the Siouan. Sioux is the last syllable of the Chippewa word Addowissioux, meaning "enemy." It is an unfortunate name. Dakota is a full Indian word, belonging to this family, and means "league." To this family belong the tribes which I have studied most closely. The group numbers 50,000, perhaps, and includes the Dakotas, or Sioux, the Omahas, Winnebagos, Mandans, Crows, Quapaws, Otoes, Osages, Iowas, Missouris, Poncas, and some others. These people occupied this region where we are [Omaha, Nebraska].

We have been accustomed to talk of the Indian as a savage. Well, if you will take the word for just what it means, that he lived in the woods, then he was a savage. But if you apply to it another interpretation, that a savage is a man without feeling, a wild animal, without any

*An address delivered extemporaneously before the National Conference of Charities, at Omaha.

order or regulation in his life, then the use of this word, as applied to the Indian, shows our own ignorance, and does not in the least hurt him. The Indian belongs to a very old race, ethnologically, perhaps older than the white race. He has lived, therefore, on this continent as long as we have any historical record, and possibly longer. He is thoroughly organized in his life, in his tribal relation, which we *talk* a great deal about, but very few people really *know* any thing about. It is only within a generation that the study of anthropology has revealed to us the organization of the more primitive races.

The Indian tribes are grouped by the affinity of their language, and there are many distinct stocks. A tribe is a distinct social organization, governed by its own laws, and is by no means a chance matter. Let me tell you about the people from whom the city of Omaha takes its name. It was only in 1855 that they made their first separate treaty with the United States and ceded this land where your city stands, and the region round about you, stretching far to the west. This was their hunting-ground. To the north was their village, where their ancestors had lived for more than two hundred years, and how much longer we do not know—it would be difficult to tell accurately. From that place they have, happily, never been removed; and I consider it a very pleasant omen for this city—a prophecy of its own stability—that it is named for a tribe that has never been driven from its original home. The Omahas ceded this land in 1855, reserving for themselves their old home to the north of you, where they live to-day. That tribe bears an interesting little history, in its name, for the student of linguistics. The name Omaha means "up the stream," "against the current," and is the counterpart to the name Quapaw—going with the current, or down stream. Quapaw is the name of the tribe that lived on the Arkansas River, and in 1825 made their first treaty, ceding their land to the government, the land where De Soto found them in 1540. The Omahas and the Quapaws can understand one another to-day, although their languages have differentiated into distinct dialects, showing how slow is the change brought about in a language in three hundred and fifty years. Yet the Omahas cannot in the least understand the lauguage of the Winnebagos, who chance to be their neighbors, though they belong to the same linguistic group. I mention this to show how long has been their residence, how singular must have been their history, that we can have so many dialects within the same stock, yet so far removed in sound that, save for the careful work of the student, one would not suspect that they were related.

The Omaha tribe, like all the tribes in this country,—and, in giving you this picture of their social organization, I am in a way giving you an outline sketch that will show you the organization of all the other tribes in the United States,—is divided into *gentes*. The Latin word is used because, knowing exactly what a Latin *gens* was, and that it resembles the Indian tribal unit, it is easy for us to understand the word. The ten *gentes* of the tribe camp in a circle, with the opening to the east. Each *gens* has its definite place within the circle, and can never change its place. There are five *gentes* to the north and five to the south. The northern half are called the Instasunda; the southern half, the Hungacheynu.

These two divisions are *fratus*, and are fixed. Each *gens* is again subdivided into *subgentes*. Each *subgens* has its place around the fire or in the council, and it can never camp any otherwhere. When the people move out on the hunt, it is under strict organization; for the hunt is no random scrabble for game. Every subdivision moves by itself, and camps in its proper order. Each *gens* has its list of names to be given to those born in the *gens*, and these names are not transferable from one *gens* to another. I have every name in the Omaha tribe classified as to *gens* and *subgens*. There is no repetition of the masculine names save in one or two exceptions; and, when you know the full circumstances, they are not exceptions. There are some few repetitions of feminine names, simply because of the relation between the two mythical ancestors of the two *gentes*.

As I have said that there is a definite place for every *gens* in the tribe circle, so within the tent there is a definite place for every occupant of the tent. The place for the father is always on the south half, the mother's is to the south of the entrance, the guest always to the west, and the opening of the tent always to the east. I could go into an Indian camp at night and enter a tent, and tell whom I was touching by the position of the person in the tent. Fixity, ceremony, conventional forms, mark Indian life. Freedom, in the sense which civilization gives, he does not know. Freedom of the individual, such as is our birthright, he acquires by hard struggle and in the slow progress of the race. It is a mistake to suppose that barbarism, or savagery, as we call it, is going back into freedom. It is going back into fixity, as when you turn back in the animal creation, as you descend in the scale of development, you find more and more fixity. This fixity enters into every thing.

With the Omahas, the *gens* goes with the father: the child belongs to the *gens* of the father. That, however, is an exception to the general Indian descent of this country. Usually, the children belong to the clan of the mother. That is the case in almost all of the Algonquin tribes, those of the Pacific Coast, and the Pueblos. It is also the case with some of the tribes that belong to this group. A man cannot marry into his own *gens*. He must marry outside his *gens*, whether it go with the father or mother. Therefore, the family represents two distinct political organizations of the tribe, that can never coalesce. The child can never inherit from both parents. He is born into the father's *gens* or into his mother's clan, and out of that he cannot move. Out of this custom and its regulations he can never free himself. All property is individual. It belongs to the individual. It does not belong even to the family. Nothing is joint between the husband and wife, parents and children. It is individual to the last degree. I have found much difficulty in procuring things that belong to children, even those in infancy, because the parents have said: "I do not know that the child is willing." This individuality of property is an important thing to remember. I have failed to find any thing communistic in Indian life or property, except as it has been forced upon the Indians by our race. I have been obliged to explain to Indians that holding things in common is not the white man's custom.

The Omahas have their villages, with houses made of sods and posts,—large circular dwellings. They move out at times on hunts, but return to these villages. They cultivate some soil, raising corn, beans, and pumpkins. All of our Indians, unless it may be some of the Cheyennes that live far out on the plains, have always cultivated these three things; and, in the early days of our own history, they rescued the settlers over and over again by their supplies. De Longueville destroyed something like a hundred and fifty thousand bushels of corn that had been *cached* by the Senecas. But the Senecas were not specially disturbed, as they said they could get more from their neighbors. The best patches of land were picked out for cultivation, and the women were the cultivators. This did not seem oppressive to them. The woman being the conserver of life, and the Indian man the protector and provider, it was natural that she should cultivate the soil. These little patches which they cultivated remained in the same family as long as they were used. No one ever thought of jumping a claim. Private ownership was respected. So land was not an exception in individual ownership.

It should be remembered that the Indian occupied a country with no animals capable of domestication. Our own history would have been greatly changed, if we could not have introduced the animals domesticated by our ancestors in the land of their birth. To domestic animals, civilization owes the heaviest of debts. Their use makes life secure, guarantees a surety of food, and allows the individual to pursue such occupations and lines of thought as shall make progress possible. If we had not been able to bring over the ox, the cow, and the sheep, our fate would have been very different.

Having sketched to you a little of the social organization and the fixity of Indian life, you will readily see that one of the important things to introduce to the Indian is property in its descent; for that they never have had. Nothing descends to the child. He is born into his *gens*, into his clan. He does not even inherit his father's honors; for I speak within reason when I say that hereditary rulership by right, as we understand it, does not exist, and has not existed, among any Indian people in this country. That some chiefs have been followed by their sons and grandsons is true, but this is not the rule. If a man had a son or grandson that he wished to have succeed him, it had to be done either by political influence or by the ability of the candidate. Certain *gentes* always possessed certain privileges, and the heredity of training helped to keep these customs in force. To introduce the descent of property brings about the organization of the family, as we understand it. You will therefore see that by giving the land to the man individually, deeding it to him, making his children his heirs, and uniting the wife with the husband, you are introducing a radical change. You are striking at right angles across the established tribal relation, and are practically putting it to an end. Our own civilization teaches us that we were obliged to do away with the tribal relation, and that it was property that helped us to do it. It was property that established the monogamic marriage; it is property that holds it. I do not ignore the moral question; but I am talking of the practical, legal point of view. You will see, therefore, that you cannot civilize the Indian,—that is, you cannot bring him into line with our civilization,—you cannot Christianize him, until you have run this furrow right across the tribal circle. And land in severalty, as we have proven it in our own race, is the one thing that will do it, is the only path which we can open through.

Perhaps, if, as a student, I had merely learned these things from books, and had studied the Indian problem from the outside, I should hardly feel as free to speak to you in so positive a tone as I do to-night. But, as I have been asked to tell you something of my own personal experience, I will do so, in order that you may not think I am saying too much or speaking whereof I do not know.

I am a student of ethnology, and have been for a great many years. I was very much interested in archæology, especially in the archæology of our own country, having been drawn away by my own feeling in this respect from the study of classical and oriental archæology. That drew me into the field of research. I have visited the shell heaps of our coast, have assisted at the scientific investigations of some of our mounds and earthworks, and have seen those wonderful remains in the Ohio Valley up into Minnesota and Wisconsin. I have travelled over the country from north to south, from east to west, and thus for a long time I continued my work in the archæological field.

But there was something in me that wanted to face the living man. It seemed as though I never could read what lay beyond those strange finger-marks on the old pottery, until I could look into the face, and know something of the inner life, of those who were to-day moulding the pottery, the possible descendants of those people whom we looked upon as long ago lost. So I determined, when the chance should open, that I would go myself and live among the Indians. I laid the plan before my guide, philosopher, and friend, Prof. Putnam, of the Peabody Museum of Harvard University. He said, "An excellent thing to do, Miss Fletcher, but impossible." I talked with the late Hon. Lewis Morgan; and he said: "My dear girl, you cannot do it. It would be a

capital thing, but you could not endure the hardships." But there is a little saying about a woman,—"When she will, she will, you may depend on 't"; and that was the case with me. The time came when I received an invitation to visit an Indian family, and I accepted it so quickly that I think I rather surprised my host. As quickly as I could get ready, I started. Before then, my friends gave me an *ante mortem* banquet; and then, as they said, I took a "header into barbarism." I burned my ships behind me. I had never camped in any rough way in my life, I had never seen any rough life, I had never mixed with the poorer classes of my own people; and it was a "header,"—there was no doubt about it. But I was there for a purpose. I lived with the Indians in their homes, sleeping in a tent on the ground, month in and month out, in summer and in winter, in sickness and in health, in sorrow and in joy. I have held their little dead babies in my arms, and I have tried to counsel and to comfort those in trouble. I learned to love the Indians, and they loved me. It was very natural that I should become much interested in these people. I tell you the truth: when I went out among the Indians, and was told that I must have letters from the Interior Department, though I knew we had a Secretary of the Interior, who the Indian Commissioner was I did not know. I knew nothing about the Indian Department or its organization. The most I did know was that we had behaved badly to the Indians, and it was from the Indian side that I faced my race and met the Indian question. It was not a pleasant thing to do. I have often said that I learned more of my own race than of the Indian race. But I have stepped across the race line. I have realized,—and I say it reverently and thankfully,—the brotherhood of man, and that you and I are not a bit better than our red brothers. Finding these people that I could touch and that could touch me, strange as was their life, I was able to think and to feel my way toward seeing what I could do to help them. The Omahas I found sitting with a heavy shadow at every fireside. The Poncas had been driven by force to the Indian Territory, and on their way south had passed near the Omaha reservation; and the Omahas had heard the wailing of the women and the crying of the children. They came home, and looked at the certificates which had been issued to them in 1871, when they had pleaded for titles to their land. And then they learned that these certificates were not worth the paper they were written on, so far as they gave any ownership of land. This shadow was at every fireside. As I sat and talked with them of old customs, and as they told me of old myths, their thoughts would wander; and they would continually ask: "What should *we* do if the soldiers should come and take *us* away?" I remember one man saying: "If they should come, I could do nothing but stand and look at the hills."

I could not believe that the government would break its word so rashly; and I sought the book of treaties, to see the terms between the United States and the Omahas. I found it quite true that these people were entitled to patents. When I found that the Indian story was true, I asked for further information, when I was told by certain officials that women did not know any thing about these things. But I thought it was time women did, and so I looked more closely into the treaties and why they were not kept. I made up my mind that there is something that our people never failed to recognize, and that is work. Many of these Indians in good faith had gone out on their little farms, and had broken from five to fifty acres, and had worked. I spent two or three months gathering statistics of what these people had done. There were, if I recollect aright, throughout the whole reservation something like fifteen houses that the government had built of cotton-wood, that cost about seven hundred dollars apiece. All the other houses represented the work of the people. Miserable little things they were, all out of line. But there was the line of endeavor there. Then I found out how many chickens they had, and how they got the little things that they did have; and it was a meagre inventory. But I wrote it all down, such as it was, and drew up a short petition, asking that their farms might be patented to them; for they had practically homesteaded them. The men signed, a portion of them; and opposite each name I wrote a number, and when you turned the page, opposite each number was a summary of what the man represented by the number had done. It was in the last days of the year I mailed it, with many anxious hearts, and with the Christian Indians gathering and praying that God speed the little document that had started across the country; and then we waited, and we waited. It reached Washington. It made a little ripple. It was printed. It turned a paragraph, and that was all. I did not know much about Indian matters, you see, thenadays. And so we waited, the Indians and I, one month, two months. Then they began to ask: "Any word from Washington?" Two months and a half, and they came again: "Any word from Washington?" No. Three months passed. Ten miles they came over the prairie: "Any word from Washington?" No; and the winter was gone. The streams were awaking, and the leaves were coming, and I had to do something. And one day I surprised myself, and I think I surprised the Indians, when I suddenly said: "I am going to Washington, and you will not see me until I have good words to tell you." It was the only time in my life that I had faith. I crossed the continent; and I entered Washington the day after a bill was presented which proposed the sale of the best part of the Omahas' land, shutting them off from the railroads and markets, being the first move preparatory to getting them into the Indian Territory. I did not believe that the people of Nebraska wanted the Omahas to be sent to the Indian Territory, and I acted on that belief. I will not tell you of my work in Washington,—how I finally succeeded in getting a hearing, how I went into the homes of the legislators, for I felt that it was a matter that women and children had something to say about, for it was women and children off in Nebraska who had something to say about leaving their homes. After three months' hard work, the bill that was to kill them was put into my hands for amendment; and I amended it off the face of the earth into a new bill. It went through Congress, and was signed by the President on the 7th of August, 1882. It gave the Omahas their lands individually, one hundred and sixty acres to the head of a family, eighty acres to each orphan and single person over eighteen years of age, forty acres to each child under eighteen years,—the United States to hold the title in trust for the term of twenty-five years, during which period the land is untaxable, nor can any contract be legal which touches it. At the end of the trust, the United States agrees to deliver it in fee, free from any encumbrance whatsoever. The people were also placed under the civil and criminal laws of the State.

I was induced to insert a clause that I did not in the least believe in, and that every month since has shown was a mistake; and that was, after the allotting of the land individually, the rest of it should, patented to the tribe, be held for children born during the following twenty-five years. It was a poor piece of work that I was obliged to do in the way of compromise. It shut the people up, and kept out any healthy and proper relation to the white people. In opening up the land, it is an excellent thing for both races to work together. I did not wait for the bill to be absolutely signed, before I came back to Nebraska. I wish you could have been present, and seen and heard those Indians. Particularly, I wish you could have heard old Mepe's words of thankfulness. This old woman had buried husband and children, and was the last of her race. She thanked God that the graves of those she loved would be unprofaned, and that she could go to meet them from the land where she had lived and loved them.

A year or more after that, the Secretary of the Interior asked me if I would carry out the provisions of the bill which I had been instrumental in bringing to pass. So I entered upon the first allotment of lands to Indians in severalty, with provisions similar to those of the present severalty bill. The Indians were huddled among the bluffs. They were afraid to move out on the prairie. Their best land lay in the Logan Valley. You have no more charming valley in your State. Not a sod in it was turned. How should I get the people out, then? I could not allot land to them by sitting in the agent's office and having my plats before me, and putting them down here and there like pegs in a machine. I took my Indian matron and clerk, and pitched my tent on the banks of the Logan, and sent word to the Indians that I would not come in. If they wanted to see me they must come out. Little by little they came out, until at last I had sixty-eight heads of families; and to-day, where three years ago there was not a sod turned, I can show you cultivated farms ranging from fifteen to one hundred and twenty acres each.

I can assure you that the Omahas have had a hard time in reaching this point. They have been misrepresented and preyed upon by those who should have helped them. When their patents were delivered to them according to the tenor of their bill, they were placed under the laws of the State, civil and criminal. That fact weakened the agency. The agent became a figure-head. He was nothing legally, and he retired. Every thing dropped to the ground. The Indians were absolutely snapped off the fingers of the government. You were not there to catch them as they fell, and the result was a great deal of confusion, a vast amount of misrepresentation. The Indians did not know how or what to do, or where he was. They could not help themselves. They were not citizens. But they have struggled on, and I believe that they will come out all right.

Several Omahas are breaking land, and cultivating more this year than ever before. They are trying hard to do their best, but they are very poor. Few of them have horses fit to do ploughing or to break the soil, so they have had to pay for all the breaking that they have had done. One young man came to me last week, who had had thirty acres of his land broken, paying two dollars and a half an acre to a white man to break it. This young fellow does not even own a plough. But he is a pushing fellow, and is determined to get on. He says he will have a house one of these days, and he will. Five years ago this young man was dancing and dangling around, doing nothing. It is the feeling of ownership that has started him on.

I stayed one night recently at the house of one of the pupils, whom four years ago I took to Hampton, where I initiated the plan of educating young married couples. The husband did not speak one word of English, when I took him East. To-day he is farming, dealing with white men, owning machines which he rents out to white men. His house was built by a loan made by some ladies in Washington, who have raised a fund in memory of Mrs. Gen. Hawley. It is as neat a house as you will find in the Logan Valley, and he expects to pay back one hundred dollars of the loan this year with money earned by himself. I do not mean to say that every Omaha is in this condition. It would be a surprising community if all were like this. There are plenty of them who are in a miserable, vagabondish condition, who will live and die so. But many are pulling out. Giving land in severalty is not a failure. It is a direct and practical recognition of manhood. But it is not by any means the end of things. The Omahas, by virtue of the provision of the severalty bill signed the 8th of February, 1887, are now citizens. They are part of your Nebraska constituency, belonging in three different counties. And, gentlemen, you who are interested in politics, see that they vote this fall.

PAUPERISM AND THE CENSUS.

How the figures which stand for the number of paupers enumerated in the United States census prior to 1880 were obtained, we do not know. In 1880, a list was made, in advance, of the almshouses throughout the country, and the number in each of them on the first of June was accurately ascertained. There is a well-known distinction between paupers in almshouses and those outside; the latter may be in receipt of permanent support or of temporary relief. But it is evident that no complete list of them can ever be made, and that the statistics of out-door relief, as it is technically called, must be (as a rule, and for this reason) practically valueless, except in a very limited number of States, where special pains is taken to collect them from year to year. Before 1880, the census took no note of this distinction, and the figures given must be understood to include a portion (but it can only have been a portion) of the out-door poor. The whole number of paupers reported in 1850, was 50,353, or .002171 of the population. In 1860, it was 82,942, or .002638 of the population. In 1870, it was 76,737, or .00190 of the population. In 1880, it was 87,798, or .001320 of the population. According to these figures, pauperism, as a whole, has been declining in this country since 1860. This, however, we do not believe. The figures given prior to 1880 are not, in our judgment, worthy of confidence. At the last census, of 87,798 paupers returned by the enumerators, 66,203 were in almshouses, and 21,595 outside. The latter figure we know to be utterly untrustworthy. If the distinction between in-door and out-door poor had been previously observed, and a correct census made of the almshouse paupers as a separate class, then we should have had a basis of comparison which is now lacking.

Yet such comparisons as we have been able to make are not without interest and value. The great geographical law which governs the distribution of pauperism in the United States (and which, we believe, has not been suspected by any student of the subject—at least, we have never seen any reference to it) is brought out as clearly by the census of 1850 as by that of 1880, and it is confirmed by every census that has been taken. This law is as follows: *The ratio of paupers to the total population diminishes alike from north to south, and from east to west.* In other words, if New England, or the principal New England State (Massachusetts) be taken as a starting-point, it matters not in which direction a line be drawn, the largest amount of pauperism, relatively to the population, will be found to exist in Massachusetts,* and the smallest in the State farthest removed from Massachusetts; while the intervening States will exhibit, on the whole, and with scarcely an exception, a gradual decline in something like the degree of their removal from the extreme northeast.

To demonstrate the truth of this proposition, attention is called to the following tables. Let us first draw a line parallel to the Atlantic Coast, and see what the percentage of paupers is in each of the States through which this line passes, at each of four different enumerations of the population:

States.	1880.	1870.	1860.	1850.
Massachusetts	.002,542	.003,964	.005,282	.005,571
Connecticut	.002,277	.003,172	.004,864	.004,703
New York	.002,450	.003,217	.004,950	.004,143
New Jersey	.002,177	.002,637	.002,761	.003,223
Delaware	.002,640	.003,624	.003,984	.002,982
Maryland	.001,270	.002,064	.001,046	.003,432
Virginia	.001,400	.002,677	.002,840	.003,136
North Carolina	.000,911	.001,542	.001,442	.001,818
South Carolina	.000,521	.002,935	.002,045	.001,934
Georgia	.000,357	.001,534	.001,131	.000,942
Florida	.000,167	.000,783	.000,762	.000,709

In the foregoing table, and in those which follow, the first column (1880) stands only for paupers *in almshouses*. The percentage of paupers has been calculated to six figures, which is equivalent to stating the number in each 1,000,000 of the total population. Thus, a fair comparison can be made, irrespective of the total number in each State, which signifies nothing. In 1880 the only apparent exceptions to the general law are New York, Delaware, and Virginia. In 1870 the same, with the addition of South Carolina; in 1860 the same as in 1870; but in 1850 there were but two exceptions—namely, Virginia and South Carolina.

Let us now draw a second line, running nearly due west, and see the result.

States.	1880.	1870.	1860.	1850.
Massachusetts	.002,542	.003,964	.005,282	.005,571
New York	.002,450	.003,172	.004,864	.004,143
Pennsylvania	.002,144	.002,464	.002,676	.001,649
Ohio	.002,181	.001,378	.006,423	.000,845
Indiana	.001,543	.002,113	.001,177	.000,590
Illinois	.001,197	.000,930	.001,084	.000,510
Iowa	.000,717	.000,714	.001,012	.000,229
Nebraska	.000,250	.000,756	.000,029	.....
Colorado	.000,237	.....	.....	.....

The apparent exceptions to the law here found are: Ohio, in 1860 and 1880; and Indiana in 1870; in 1850, no exception.

But, to make assurance doubly sure, let us draw a third line, from Massachusetts to Texas, running in a southwesterly direction:

States.	1880.	1870.	1860.	1850.
Massachusetts	.002,542	.003,964	.005,282	.005,571
New York	.002,450	.003,172	.004,864	.004,143
Pennsylvania	.002,144	.002,469	.002,676	.001,649
Maryland	.001,270	.002,064	.001,046	.003,432
West Virginia	.000,711	.000,235	.....	.....
Kentucky	.000,829	.001,354	.000,778	.000,791
Tennessee	.000,737	.001,054	.000,842	.000,589
Alabama	.000,407	.000,689	.000,466	.000,408
Mississippi	.000,305	.000,777	.000,380	.000,424
Louisiana	.....	.000,698	.000,229	.000,205
Texas	.000,132	.000,247	.000,202	.000,019

In 1880 the apparent exceptions were Kentucky, and Tennessee; in 1870, West Virginia and Mississippi; in 1860, Tennessee; and in 1850, Maryland and Mississippi.

We shall not pursue this special inquiry further at present, but observe, in passing, that the law is founded in reason, since nature is more bountiful to the poor in warm climates than in cold; and newer communities may be expected to have a less proportion of paupers than older ones. This is a complete explanation of the fact to which we have called attention, but which is none the less worthy of note.

To enable the reader, however, to make additional comparisons for himself, the following division of the States east of the Rocky Mountains into three groups, in the order of prevalence of pauperism in each of them respectively, in 1880, is given, in which the numbers stand for the number of paupers in 1,000,000 of the total population of each.

First group—Highest percentage of pauperism: New Hampshire, 3,453; Delaware, 2,640; Massachusetts, 2,542; New York, 2,450; Maine, 2,319; Connecticut, 2,277; Ohio, 2,181; New Jersey, 2,177; Pennsylvania, 2,144; Vermont, 1,971; Rhode Island, 1,902. This group extends as far west as the western boundary of Ohio; as far south as the Ohio River and the southern boundary of Pennsylvania; it also includes the State of Delaware.

Second group—Medium percentage of pauperism: Indiana, 1,543; Virginia, 1,400; Maryland, 1,270; Illinois,

* Delaware and New Hampshire are exceptions.

1,197; West Virginia, 1,150; Michigan, 1,067; District of Columbia, 1,036; North Carolina, 911; Kentucky, 829; Wisconsin, 774; Tennessee, 737. The line which bounds this second group on the south and west may be traced from the head of Lake Superior, down the Mississippi River, as far as the southern boundary of Tennessee, and thence east in a nearly straight line to the Atlantic Ocean.

Third group—Lowest percentage of pauperism: Iowa, 717; Missouri, 681; South Carolina, 521; Alabama, 407; Georgia, 357; Kansas, 356; Mississippi, 305; Minnesota, 291; Nebraska, 250; Colorado, 237; Florida, 167; Texas, 132; Arkansas, 131. This group includes the South Atlantic and the Gulf States, with all the States west of the Mississippi and east of the Rocky Mountains, except Louisiana, in which no paupers at all are reported.

The percentage of pauperism in the territories east of the Rocky Mountains is still less. West of that chain, as we approach the Pacific Coast, it increases again, culminating in California, where it reaches 1,843 to the million.

The fact that this general conclusion is confirmed by the several censuses taken prior to 1880 shows that, whatever may have been their inaccuracies and imperfection, they had a substantial basis of fact. The law here pointed out is too obscure to have been arrived at by any happy accident.

But it is not enough to know the general fact that pauperism in the aggregate, in its distribution over the surface of the country, resembles the concentric circles which radiate and lose themselves in the distance when a stone is thrown into the water. To understand the problem which it presents for our consideration, we ought also to understand the distinctions which exist between pauperism in men and women, in the white and colored races, and among natives and foreigners. Unfortunately, not until 1880 were the paupers enumerated by sex; they were not enumerated by race until 1870. The data at our command in the census are therefore very inadequate. It is clear that pauperism (to the shame of the superior sex) is slightly more common among men (1,394) than women (1,244); that it is much more common among white men (1,394) than among negroes (847); and that the difference reaches its highest point when we compare the foreign-born (3,438) with the native (994) population. But there is always the difficulty of deciding whether the amount of relief extended is governed by the actual demand for it, or by the generosity or favor of those by whom it is administered.

Such figures as we have, indicate that the general law of geographical distribution is rather closely followed in the distribution of pauperism among the native white population; less closely among the colored population; and not at all among the foreign-born. It is apparently impossible to reduce the variations in the percentages of foreign paupers to any intelligible or consistent rule. Of course, where the ratio of foreign paupers in any State is higher than usual, this tends to conflict with the operation of the general law; and the same is true of colored paupers, but to a less degree.

It is a singular fact, that the ratio of colored paupers is larger in States in which there are comparatively few negroes, than in the Southern States; while, on the other hand, some of the States which have the highest ratio of foreign paupers are in the South, where the foreign population is small.

Our want of confidence in the census of pauperism, prior to 1880, is due to the inconsistencies which may be discovered in them taken separately, and to their want of harmony with the last census and with each other. But to point out these contradictions would be a waste of time, and would not interest the public.

I have yet, with seven years' experience, to find a case in prison where I believe that crime has been taught by older criminals to younger ones. I believe, on the contrary, that the usual advice of an old criminal to the boys is: "See what crime has brought me to; and, when you get out of here, behave yourselves." I limit this observation to State prisons, where men and boys work together, and do not apply it to jails, where men and boys are in a condition of idleness.—Warden BRUSH, of Sing Sing.

PROVINCIAL LUNATIC ASYLUM AT VIENNA.

Dr. Tucker (who says that this is one of the best-conducted institutions which he saw in his travels) remarks as to the labor of the patients:

Another striking feature in the administration of this asylum is the great extension of the principle of occupation for patients. There are a number of workshops, and a variety of trades are carried on. In a workshop on the ground-floor, at the back of the main building, I saw eight patients at work at carpentering, fretwork, ornaments, baskets, brackets, writing-cases, and a large variety of other employments. In an adjoining shop nine patients were making a superior description of toys and figures and objects of amusement in papier maché, chiefly by means of moulds. In another shop were seven patients similarly employed. The shops contain lathes and other mechanical appliances. There is a store-room on the premises of articles made by the patients, and I was astonished as well at their number and variety as by the high order of the workmanship in many instances. There were some very fine wood-carvings, chiefly heads, in which artistic advantage had been taken of the tints of the wood; handsome papier-maché tables; toys in every variety; fancy hand-baskets and satchels, pen-holders, cigarette cases, match-boxes, and artificial flowers. Among the objects most worthy of notice were metal and ivory sleeve-links and shirt-studs, and caskets of nickel-plated metal overlaid with gilded open-work, which might have been turned out of a first-class manufactory in any country. Some of these illustrate in a high degree the principle of co-operation and division of labor. A champion on horseback, for instance, presented a combination of several branches of trade carried on in this asylum. From the painted plume in his helmet to his gilt spurs, leather saddle, or metal stirrups, the labor of producing him was divided into a dozen different branches. The rough figures of rider and horse were moulded of papier maché in one part of the establishment, the leather-work prepared in another, the iron bit and stirrups made in a third, and in others the dress and adornments of the knight, and the weapons and arms with which he was mounted. The products of these workshops have won gold medals and other prizes at various exhibitions; there is a ready market for them among the shopkeepers of Europe. The lighter works of the patients are superintended by an intelligent official who, I was informed, was formerly a patient in the asylum. Some of the furniture and nearly all the ornaments of the institution itself, such as tables, picture-frames, chamber utensils, etc., are manufactured in the workshops. On the women's side, a number of patients were employed in making baskets—mostly of a fancy kind—and in other occupations. In one workroom there were twenty-five patients engaged in making and repairing clothes, or knitting. There were sewing-machines in use. In some of the demented wards I saw old and feeble patients amusing and employing themselves in picking linen rags into lint for use in the hospital. Beyond provision for playing billiards, I did not notice any arrangements for amusements in the nature of games.

THE PRISONS OF PHILADELPHIA.

Mr. G. S. Griffith, of Baltimore, writes to the *American* that he has been looking over the almshouses and prisons of the city of Philadelphia. He found 2,800 paupers in Blockley Almshouse, which is said to be the largest in the country, and the appropriation for its support, in 1886, was $380,000. A training-school for nurses is connected with it. In the prisons he found about 3,000 prisoners: 1,200 in the House of Correction and Reformation; 729 in Moyamensing (the jail); and between 1,100 and 1,200 in Cherry Hill (the Eastern Penitentiary). A new and large city prison is in process of construction in the immediate neighborhood of the Homesburg House of Correction; it will have a capacity of 1,000. The population of the city and county of Philadelphia is about the same as that of the State of Maryland, but the ratio of paupers and prisoners in the latter bears no comparison to that in Philadelphia. Mr. Griffith wonders whether "charity" is not over-done in that city, and thinks that there may be "an over-indulgence of the ignorant and the idle," the effect of which is to encourage them in a helpless, downward career. He accounts for the small number of prisoners in Maryland by the fact that, under the local option law, many of the counties do not license the sale of intoxicating drinks.

The comparison of a State with a city is never a fair one: criminals flock to the city, and city life engenders crime. As between the two States, Maryland and Pennsylvania, the census of 1880 shows that there were at that time, of the total population of each State, 1,347 prisoners to a million in the former, and only 1,128 to a million in the latter.

To show the relative standing of the States in the matter

of prisoners, as compared with the population, we print the following extract from an unpublished census table on this subject. The numbers given are not the number of prisoners in each State, but the percentages, or the number in a million. We give the percentages not only of the total population, but of each sex, of the native and foreign-born, and of the white and colored, separately.

State.	Total.	Male.	Female.	Native.	Foreign.	White.	Colored.
The United States	.001,169	.002,101	.000,203	.001,054	.001,917	.000,964	.002,480
Alabama	.001,072	.002,049	.000,120	.001,063	.002,157	.000,320	.001,901
Arizona	.001,657	.002,340	.000,082	.001,312	.002,181	.001,906	—
Arkansas	.000,942	.001,758	.000,062	.000,927	.002,126	.000,504	.002,171
California	.003,061	.004,983	.000,188	.002,560	.004,039	.002,767	.005,374
Colorado	.001,955	.002,920	.000,046	.001,890	.002,212	.001,899	.005,311
Connecticut	.001,153	.002,153	.000,196	.000,972	.001,839	.001,081	.004,861
Dakota	.000,444	.000,717	.000,019	.000,480	.000,386	.000,451	—
Delaware	.000,552	.000,904	.000,193	.000,554	.000,528	.000,275	.001,815
District of Columbia	.002,145	.003,697	.000,766	.002,081	.002,745	.001,178	.004,059
Florida	.000,998	.001,862	.000,113	.000,936	.002,624	.000,288	.001,797
Georgia	.001,173	.002,232	.000,136	.001,165	.002,272	.000,278	.002,181
Idaho	.000,981	.001,467	—	.000,839	.001,303	.000,931	.001,390
Illinois	.001,079	.001,966	.000,135	.000,990	.001,458	.001,012	.005,415
Indiana	.000,815	.001,504	.000,096	.000,780	.001,269	.000,737	.004,683
Iowa	.000,494	.000,930	.000,018	.000,482	.000,558	.000,479	.002,896
Kansas	.001,300	.002,383	.000,035	.001,236	.001,817	.001,159	.004,392
Kentucky	.000,848	.001,576	.000,105	.000,844	.000,958	.000,380	.003,223
Louisiana	.001,134	.001,978	.000,295	.001,093	.001,810	.000,501	.001,728
Maine	.000,624	.001,203	.000,046	.000,554	.001,325	.000,615	.003,359
Maryland	.001,347	.002,348	.000,368	.001,257	.002,270	.000,818	.003,168
Massachusetts	.002,005	.003,358	.000,749	.001,587	.003,270	.001,969	.005,336
Michigan	.001,168	.002,087	.000,145	.001,112	.001,349	.001,084	.007,195
Minnesota	.000,546	.000,988	.000,033	.000,532	.000,575	.000,533	.003,086
Mississippi	.001,158	.002,199	.000,113	.001,148	.002,498	.000,309	.001,783
Missouri	.000,941	.001,698	.000,129	.000,895	.001,366	.000,741	.003,731
Montana	.001,941	.002,626	.000,182	.001,809	.002,257	.001,922	.002,120
Nebraska	.000,827	.001,464	.000,044	.000,837	.000,790	.000,772	.001,024
Nevada	.003,196	.004,688	.000,099	.002,868	.003,664	.002,988	.004,478
New Hampshire	.000,775	.001,425	.000,147	.000,708	.001,210	.000,757	.009,186
New Jersey	.001,391	.002,541	.000,263	.001,163	.002,323	.001,271	.004,732
New Mexico	.000,334	.000,605	.000,018	.000,314	.000,621	.000,359	.000,092
New York	.001,717	.002,999	.000,471	.001,445	.002,588	.001,637	.007,704
North Carolina	.001,122	.002,147	.000,131	.001,122	.001,069	.000,681	.001,838
Ohio	.000,794	.001,413	.000,163	.000,688	.001,542	.000,725	.003,481
Oregon	.001,333	.002,254	—	.000,977	.003,016	.001,177	.003,506
Pennsylvania	.001,128	.002,036	.000,225	.000,959	.002,193	.001,033	.005,787
Rhode Island	.001,146	.001,894	.000,453	.001,027	.001,473	.001,085	.002,641
South Carolina	.000,629	.001,197	.000,077	.000,629	.000,651	.000,143	.000,943
Tennessee	.001,361	.002,557	.000,172	.001,350	.002,395	.000,666	.003,323
Texas	.001,986	.003,683	.000,102	.001,890	.003,237	.001,324	.004,000
Utah	.000,403	.000,778	—	.000,450	.000,295	.000,400	.000,649
Vermont	.000,776	.001,480	.000,066	.000,693	.001,367	.000,758	.006,554
Virginia	.001,020	.001,817	.000,245	.001,011	.001,905	.000,395	.001,892
Washington	.001,078	.001,697	.000,103	.000,742	.002,341	.000,952	.002,147
West Virginia	.000,629	.001,151	.000,089	.000,601	.001,533	.000,540	.002,662
Wisconsin	.000,448	.000,825	.000,044	.000,397	.000,565	.000,430	.004,423
Wyoming	.003,559	.005,087	.000,301	.003,146	.004,615	.003,241	.008,136

A great many interesting observations might be made on the foregoing figures, but we have space for but a few:

Broadly speaking, the ratio of prisoners of the male sex is ten times as great as that of the female; the ratio among foreigners is nearly twice as great as among the native-born; and among the colored, nearly three times as great as among whites. It is considerably greater among the colored than among the foreign population. These statements are true of the table as a whole, but with variations, and with an occasional exception. (Observe the native and foreign ratios in Dakota, Delaware, Nebraska, North Carolina, and Utah; and the white and colored ratios in New Mexico. The ratio of foreign prisoners is also greater than that of colored in Alabama, Florida, Georgia, Louisiana, Mississippi, Montana, New Mexico, Virginia, and Washington.)

The States and territories which have the largest percentage of prisoners are Wyoming, Nevada, and California; next to them are the District of Columbia and Massachusetts; then Texas, Colorado, and Montana; which are followed by New York. Leaving the "far" west out of view, if the number of prisoners is any indication of the volume of crime, crime is more prevalent in the east than in the west, and in the north than in the south.

In respect to female prisoners, Massachusetts, New York, and the District of Columbia are away in the lead.

It is worthy of remark that the ratio of colored prisoners in the south is much less than in the north; it is greater in the "border" States than in those farther south, with the exception of Texas.

Maine, which is a prohibition State, has less criminals in custody than any northern State east of the Mississippi River, but more than Minnesota or Iowa; while South Carolina presents nearly as good a showing, and it is distanced by the territories of Utah and New Mexico.

The reader may, if he has time and inclination to do so, search out other equally interesting facts for himself.

It is to be regretted that instead of giving "male," "female," etc., the census had not furnished the figures showing the number of "male whites," "female whites," etc. It is also to be regretted that the work of investigation was not carried far enough to exhibit the influence of different ages in producing crime in each of the six classes separately enumerated, since age is a potent factor in this direction.

"DEPARTMENT" ACCOUNTS.

A serious defect in the book-keeping of nearly all large charitable and correctional institutions is the lack of accounts with the several "departments." Expenses are classified as for salaries, food, fuel, etc., according to the character of articles purchased; but they are not classified according to the use made of them. The latter is quite as important as the former, and all well-regulated hotels require of their book-keepers a double classification. To illustrate our meaning, we quote a few sentences from a published interview with the steward of the United States Hotel at Saratoga.

"By our system," Mr. Avery said, "we can tell at night just how much it has cost to run each department of the hotel for the day. If one of the proprietors should send down here for a half dozen eggs, we should charge them up to him. If the cook wants a pound of rice, a quart of beans, or a ton of beef, we charge him with the articles delivered. We have an account with the pastry department, the kitchen, the dining-room, the housekeeper, and every department connected with the hotel that wants any thing. It does not cost much to keep these accounts, and it is the only safety-valve the proprietors have. If they have an extravagant cook, here is the place to find it out. If the chief is using supplies enough to feed 1,500 people with only 1,100 guests it is the business of the steward and proprietors to hold him in check. Every thing used in the dining-room, from a lemon to a lump of sugar, passes through my department."

The general adoption of this system in public institutions would save the people of the United States a great many thousand dollars a year, by showing to superintendents precisely where greater economy is possible and is demanded, in order to secure the best result for the least outlay of money.

COLUMBUS ASSOCIATED CHARITIES.

President Hoover, of the Associated Charities of Columbus, Ohio, must be credited with having made the shortest and most complete report of one year's work which we remember to have seen. In full it is as follows:

It will be remembered that the council of associated charities was organized to systematize the distribution of the charities of Columbus. At the beginning of another season of work, it is thought best to briefly report the progress that has been made. The citizens were requested to send all persons seeking to the office of the council. There it was ascertained, first, whether they were deserving; second, if deserving, what kind of assistance they needed; third, if unworthy, they were warned against further imposing on the benevolence of the people. To carry out this work, a competent and efficient agent has been employed, whose business is to make personal investigation in each case. Nothing is taken for granted, but all cases are thoroughly examined. The advantages of this plan certainly seem plain. It was deemed necessary by the council to have a place where transient applicants could be lodged and fed for a short time. For this purpose a property was leased, and a friendly inn established. Homeless persons seeking help were sent there, and given lodging and meals for a short period, for which they were required to perform a certain amount of labor in breaking stone or splitting kindling. It is believed that this scheme could be made self-supporting, and would relieve the charitable people of the city of a heavy tax. The effect of the work of the council has been to assist a large number of deserving persons, to wonderfully reduce the number of beggars that went from house to house, and to expose a number of impostors. There is a balance in the treasury of the council of $650. More is needed, and the same generous assistance is asked that was given last year. It is believed that much more good can be accomplished this season, with the aid of former experience.

A TALK ON BRAINS.*

By W. W. Godding, M.D.

This question confronts us at the start, Is brain in fact, as in common parlance, synonymous with mind? It is a question best answered by another: Is the perfume the flower? The candle consumes to make the light; the star burns out, but that star's rays set free go pulsating on in their infinite journey through space, the same "Holy Light" that Milton in his blindness apostrophizes as

"Offspring of Heaven, first-born."

No, the light is something other than the star, and the thought that springing from my brain finds answer in yours is no more a part of the brain substance than the music is the organ from which it so grandly rolls.

The brain, however, is the *organ* of the mind; science can know nothing of its action outside of that nerve centre, and for every thought evolved we may admit that some brain cell experiences a molecular change. To this brain of ours are brought all external impressions made upon the nerves, that knowledge which we gain of a world outside ourselves by means of the special senses. Here is the clearing-house, so to speak, where motives, passions, impulses, reason, purpose, and imagination hold their exchange. Here memory develops her negatives, thought clothes itself in language, and faith pictures its home beyond the stars. The human brain, it is a wondrous store-house of that power which, imponderable, intangible, having no single property of matter, yet says to the mountain, "Remove," and with hands invisible controls the world.

To each of us is entrusted one such brain; it is true that "we have this treasure in earthern vessels"; it may not be Websterian in its attributes, indeed the probability is that the potter has not in our individual case moulded any thing but pretty ordinary clay, and we may console ourselves with the thought that had it been a particularly fine porcelain it would inevitably have come to grief drifting down the stream of time beside such iron pots as we see each day about us. Such as it is, however, it is our brain, and the important question is how shall we best take care of it? We should see above all things that it is properly nourished. We hear a good deal nowadays about brain food. Fish has for years enjoyed the reputation of being rich in phosphorus, and hence adapted to the growth of brains. How such notion originated I do not know, perhaps because stale fish shines with a phosphorescent light in the dark. As a food fish is rich in water rather than phosphorus, and to feed it to children expecting thereby to grow them into philosophers, would be on a par with the scholar who boiled his dictionary in milk for his supper, hoping to thus acquire the language. The dwellers by the sea—the Esquimaux, the fishermen of Labrador and Cape Cod—have not shown any preponderance of brain. Let me say I am not condemning fish as a food in health or disease. Easily digested, it is often a very suitable food, but not on account of its phosphorus. The world could ill afford to do without its oysters; there is hardly any thing more delicious than a freshly caught trout, especially if you have been following the brook for hours to catch him, and, when well cooked, I consider Potomac shad in its season as, next to an honest man, "the noblest work of God."

Within the last year or so I have noticed that venders of soda water, so-called, have brought out an egg-phosphate as a panacea for overstrained nerves and exhausted brains. The egg is good, especially on the breakfast-table, but I do not advise you to pour down great draughts of effervescing mixtures in the hope that thereby some particles of the phosphorus may by some strange metamorphosis be transmitted into brain cell to repair the rent that a night out and a champagne supper have made. The search for health through the icy draughts of a soda fountain are generally illusive. If the stomach were made less a beast of burden, there would be fewer dyspeptics and sounder brains. What the brain of this busy, pushing age wants is rest and not phosphorus.

There is a deal of precious nonsense taught and believed about this same phosphorus for the brain, even to the little phosphorus pills with which the victim of fish diet, egg-phosphate, and nerve exhaustion is next advised to restore the brain waste. I am not denying that this irritant poison may not be a powerful nerve stimulant, but am here considering how far doses of one-fiftieth of a grain avail to restore the waste of brain tissue by absorption as food. The great demand in the system for phosphorus is not in the brain, but the bones. The total amount of phosphorus in the brain may be estimated at fifty grains, in the bones at some pounds; and the soft tissues of the body contain considerably more than the brain. The normal daily waste in phosphatic salts is more than a hundred times greater than the little phosphorus pill can supply. But to all these tissues the lean beafsteak, the egg, the milk, and the wheaten bread each bring their phosphorus with their other nutrient elements, in a combination better fitted for assimilation than the happiest effort of the chemist can supply; the hungry mouths of those tissues open and, as His sparrows of old, "your heavenly Father feedeth them."

Alcohol is another so-called brain food that in some of its protean forms you will be asked to try for the restoration of your impaired mental vigor. You cannot wonder at this prescription. Whoever, worn and weary, has felt in his tired brain the glow of warmth, the flow of language, the quickening of thought, and the color of heavenly rose over all things that a generous rum punch or the best half of a bottle of Mumm's extra dry imparts, will acknowledge its wondrous power, and understand why the red man calls the juice of the corn "fire water," and the volatile Frenchman, subjecting his wines to the still, has named his distillate "eau de vie," the water of life. If only there were no morning after with its headache and its inevitable reaction, and where so late was fire only ashes, all dull brains might be tempted to try it. But he who under strain of business or trouble begins its use will find ere long that the servant has become the master; that the fictitious strength it imparts is shortly followed by greater exhaustion when the stimulus is withdrawn; that the mental equipoise is gone, the nerves have grown unsteady, the moral sense is dulled, and at the end of the journey paralysis and imbecility abide. I am not here undervaluing as a medical prescription the Scripture injunction to "give strong drink to him who is ready to perish," nor would I seem to imply that every one who, finding his brain unequal to its task, invokes the aid of alcohol will become insane; but I do know that the total-abstinence man is not the usual victim of general paralysis, and that the road to the insane asylum passes close by the gin-mill and the grog-shop.

But the normal condition of our brains is not one of weakness. Thought and mental application are the natural outcome of the brain cells. I have lately seen a statement attributed to Dr. Wm. A. Hammond, to the effect that a man cannot safely apply his brain for more than eight hours out of the twenty-four to steady mental work. There is no such eight-hour law in nature. There are plenty of men who cannot stand six hours of continuous mind work; there are others that twelve hours' study will not injure. It is not the working time, but the working trim. So long as the individual is happy in his work, the healthy brain hardly knows fatigue. It is worry that kills. As the song says—

"A merry heart goes all the day;
Your sad tires in a mile-a."

Some one has said, with considerable truth, that the three W's are answerable for most of the progressive brain disease of to-day, viz.: "Worry, wine, and women."

* Part of an address delivered before the Young Mens' Christian Association of Washington, D. C.

Within the past eighteen months, two young girls, victims of our high-school system, have come under my care, neither of especially brilliant intellects or remarkable for attainments, but both, as I believe, broken down in mind by mere worry and strain in striving to keep their marks up to the grade of their class. In this age of high pressure, with its men of restless energy, brilliant promise, and premature failure, it is of the first importance to the health of your brains that you have something to do, and do it; that you sleep well, live well, and do not worry. When care and anxiety come, sleep goes, and he who sups with sorrow hath no appetite. But in a world that is full of sorrow and trouble and care, how can we escape their contagion? To live in the world but not of it has been a problem with but unsatisfactory solution since the time of the apostles. So long as the passions of men are what they are, and their dispositions remain unchanged, we shall have avarice and envy and ambition despoiling all of life's pleasant places, while "man's inhumanity to man" will continue to "make countless thousands mourn," and in consequence we shall have brain disease.

Nevertheless, have faith in yourself, which is half the battle, and meet the world with a smiling countenance. Life is no jest; there is a deal of pathos in it, if you interpret it rightly: yet I envy not the man, his head, or his heart, who can find nothing in it to laugh at, whose long face on every occasion is about as cheering to the bystanders as was the mummy passed round at their feasts to the Egyptian banqueters. "Laugh and grow fat," if not a divine philosophy, is at least one of the best of heathen maxims.

In the same direction is the advice to put some playtime into your lives and so avoid letting that life run into ruts. There are men whose whole existence is devoted to the profession or calling which they have taken up. Could any thing be better or make them surer to succeed than this? In a certain sense, and within certain limits, no. Pushed and jostled, as you are sure to be, in this busy world of ours by the sharp competition of others, you will prosper in nothing that you do not enter into with your whole soul and mind and strength. Then what could be better than this entire devotion to business? For the hygiene of your brain, an hour or two for relaxation every day, with a little wholesome neglect of that same business, would be far better. There are many men who literally devote their whole lives to the one business of coining money, and some of them make a mint of it. Those of us who coin but little, think we could give them some points in spending; could even show to their lives a more excellent way of living. "He gave them their request, but sent leanness into their souls." Poor as I am, I have come to pity some of them—these men that are made of money. Called in consultation in my professional capacity, I find a poor, rich man who is breaking down under the nineteenth-century strain—a man who has made business his life and money his god, and in the process of devoting the one to the service of the other, he has reached the time when his business is killing him. I suggest a rest and vacation with pleasant journeys, only to find that no change is possible, for there is absolutely nothing to his life but business; for him nothing has any beauty, nothing any charm but money-making. He early put the machine in motion, and has devoted his whole life to watching it coin money. It has withered his heart and shrivelled his soul, and now it must stop; but the stopping will kill him, and yet without rest he must die. For you and me, without scrip and hardly two coats apiece for the journey, this great wide world is full of vacation rambles and pleasant, restful places. For him there is no rest but the grave, whither he is going. "Whatsoever a man soweth, that shall he also reap."

Make broader your lives, not narrower, as the years move on. Vary your occupation; mingle with it out-door sports and social pleasures; enrich it by books and observation, by attention to the common, every-day things about you. Freely impart your own knowledge, and be ready to be taught by the humblest of God's creatures. Understand your business, and attend to it in business hours, but when these hours are over, give your brains a rest. To rest it is not necessary that they should lie fallow. They acquire strength as your lives gain breadth by diversified occupation, and if you have a taste for art indulge it with at least one really good etching that, hung on your wall, will tell you its sweet story o'er and o'er. Your soul will grow thereby, even though your purse does not. There is something in life more than meat or raiment, or even money.

When you walk along the street, study human nature. It is a book you will never tire of perusing if you bring to it a catholic spirit and a touch of that common humanity that makes the whole world kin. If you walk in the fields, keep your senses open to that wider nature that everywhere encircles the human, asking you to "consider the lilies" and listen to the voices among the hills. They will not tire but rest your brains. I shall be no whit the worse doctor nor any the less fit for my work to-morrow that I look up to-night and know the "sweet influence of Pleiades," nor does it task the brain to remember the familiar faces of Orion, Arcturus, Cassiopeia, and all that host accompanying her that in the northern sky outwatch the night, waiting for the morning. Yet am I humbled and awed when I think of the almost infinite distance of those orbs that have seen our puny generations come and go; the spectrum analysis that shows me across such abysses of space the familiar substances which burn there unconsumed; the mighty spaces over which these stars are momentarily flying, science unerringly indicating whether in advance or retrograde. Then remembering that it is the eye that sees all this—no, not the eye, but something that sits behind the eye, call it brain-cell if you will—which, putting forth its far-reaching fingers across limitless space, takes hold upon the stars. I wonder if the brain that takes cognizance of all this can have differentiated from the simple, primordial cell common to vegetable and animal life, and, if so, then what infinite power must have stood behind protoplasm in that genesis.

This brain of man, we rightly name it godlike, but ah! when the goddess Aurora loved the man Tithonus and made him immortal, she could not keep him from growing old. Care for it tenderly as you may, the brain at last decays. What was once so godlike, the numbing touch of age palsies and it is time to sleep. Have we any thing but matter here? Professor Tyndall, standing amidst Alpine summits, ventures the query, if the sunlit mists that wrap them and the sigh of regret in him that those mists are fading, are but different manifestations of the same universal matter. Doubtless, he is thinking of the correlation of forces, and that heat and light and mind are interchangeable conditions of matter, modes of motion which pass the one into the other. We are getting bravely rid of many old-time illusions, but you, who are curious in these things, who can measure the conservation of energy, answer me this: How much light and heat coming out of infinite space went to the making of Shakespeare's thought? Having measured it, resolve that thought, which has made life richer for more than two hundred years, back into light and heat, sending it forth into space again, and tell me, if you can, that we have lost nothing, that there is no other world than that of matter.

The idea that mind may have an existence outside those brain tissues, through which alone we are cognizant of it, is, perhaps, an idle thought. To us, walking through the shadows, it may be only a bird we think we hear singing in the light beyond, but how life greatens in that singing!

"Sing on, sweet bird, close hid, and raise
Those angel stairways in my brain,
That climb from these low vaulted days
To spacious sunshines far from pain."

Before the light of science the myths of old religions are fading out—"thy brother shall rise again," will this also

fade? These studies, these stores of knowledge, these thick teeming fancies, these high questionings and longings unsatisfied, what but ethics of the dust do they become when the brain moulders? Ultimate chemical analysis weighs that dust when life and thought have gone away to find no atom wanting, and if laws of gravitation are the only "everlasting arms" underneath us, and mind is but material essence, our question is answered, it must fade. But to us, who have not yet attained to the Hindoo's Nirvana, struggling and aspiring still, while failing and faltering towards the last confines of life, comes the sublime promise, "When thou passest through the waters I will be with thee," and faith takes hold on the larger hope, that the potential energy, that listened behind the ear, and looked through the eye, and out of brain cells shaped its language and breathed its prayers, leaving here these garments quite outworn, will yet arise to claim its kinship beyond the stars.

"A faith which has no scientific standing," says the positivist; "only a pleasing dream," says the agnostic. God grant that to you and me the dream may come true!

CONVICTS AND ANARCHY.

After the execution of the anarchists in Chicago, we addressed letters to a number of wardens of prisons in different parts of the country, for the purpose of ascertaining, if possible, what impression their fate had made upon prisoners. The general tenor of the replies received, indicates that the convicts in our penitentiaries and houses of correction did not feel the sympathy for the anarchists that they might have felt for criminals of their own class. The motives which actuate an ordinary criminal are very different from those which make an anarchist; the professional thief wants men to accumulate property, in order that he may have the opportunity to steal it and thus enrich himself. As a rule, a thief does not commit any act of violence which he can avoid, because he fears the punishment which would follow; neither does he destroy property which he cannot convert to his own use. But without making further remarks of our own, we give our readers the replies received by us, as follows. We think it best to omit the names of our correspondents:

"Yours asking whether the fate of the anarchists made any marked impression on the convicts under my charge is received. In answer: the only noticeable effect, as far as we could discover, was an almost entire unanimity in favor of hanging all who had received the death sentence; but there were no special manifestations, no seeming 'questioning of the law,' so to speak; there was an apparent, and on the part of a few an expressed, regret that the governor had commuted the sentences of Fielden and Schwab. One prisoner, a German barber, a 'trusty,' who shaves me daily, and who knew Spies quite well, was very earnest in his criticism of the clemency exercised by the governor; 'Fielden was the worst of the whole; he made as bad speeches, and had more influence, and should have been hung too,' was the sentiment of his criticism. He did not like Spies; he said to him long ago that if he did not look out as to his course, he would 'get hung.' This prisoner is an intelligent, well-educated man, of weak habits—not criminal, and has been here several times. Schwab also he knew, and pitied him; and, but for the seeming injustice of hanging some and saving others, he would have favored the commutation of the sentence in the case of 'poor Schwab.'

"As to the assassination of Jesse James, that was different, and would work unfavorably, as it did in the boys of the reform school. Labor troubles, strikes, lock-outs, etc., are always felt inside of prisons of the character of this, where inmates are changed every thirty days, and where it is impossible to prevent communications being received from outside. Prisoners invariably side with the supposed interests of the working classes, and often show their disapproval of any efforts made by the authorities to prevent working-men from obtaining their aims. We felt this influence keenly before the Haymarket massacre, but since that event we have not noticed any such manifestations of special interest in labor troubles."

"I entirely agree with you as to the sympathy existing between prisoners; there is no doubt about that; but in so far as the news of the fate of the anarchists having made any marked impression on the convicts here, if there has been any question, I have been unable to trace it, and I do not find that any of the prison authorities have noticed any expression which would particularly attract attention, except in one instance, and that was the case of a life prisoner, who seemed to be much depressed by the news. I allow newspapers to be taken by the convicts, and hence they were all fully advised of the execution and the incidents connected with it. I do not think that any considerable number of them are in sympathy with anarchy. I believe that the average convict is far superior in many respects to the average anarchist. While the habitual criminal is an enemy to society, in so far as he prosecutes his criminal purposes, still he is not to be compared to those who would destroy all law and government, and make an absolute hell upon earth. No, I have a better opinion of the average convict than to suppose he would be in sympathy with anarchy. I have no doubt that, if I were to assemble the convicts here to-day, and ask them whether they consider the fate of the executed anarchists just or not, a large majority would promptly reply that it was just, and that they richly deserved their fate."

"I have the honor to acknowledge your communication relative to the sympathy among prisoners for the hanging of the anarchists, and in reply would say that it did not affect us at all; I have talked with a number of officers and men, and they say that they have seen nothing that would show any interest in the matter on the part of the convicts. There were a few expressions from the prisoners that the anarchists deserved death, and were well put out of the way."

"Current newspapers are excluded in our prison, so that the sensational accounts of the anarchists' fate did not reach the inmates. Doubtless they learned of the tragedy, but not in a manner calculated to excite any special interest; at least, no special interest has been observed."

"We did not pay any attention to our prisoners, in regard to the hanging of the anarchists. But a great many of the long-term men spoke of it to their guards, and almost invariably they thought it unjust; and on that day, and for some time after, they looked sullen and gloomy."

Since the passage of the act of 1886, which provides that no fugitive shall be taken out of the State of New York, either with or without the consent of the governor, without a requisition first obtained, the number of executive warrants has increased nearly threefold. The wisdom of the prohibitory law has been amply demonstrated during the time of its existence. It does not interfere with a regular and orderly administration of justice, and throws no obstacles in the path of surrendering, in a proper case, a fleeing criminal; but it does prevent kidnapping, and the self-surrender of persons by reason of threats and intimidation, and the possibility of surrender in cases of mistaken identity.—GOODWIN BROWN.

Dr. Henry Nachtel, an American surgeon, has for a number of years been endeavoring to introduce the American "ambulance system" in Paris. It is greatly to be hoped that his labors may be crowned with complete success.

Mr. Cadwalader Biddle, Secretary of the Pennsylvania Board of Public Charities, very reasonably and properly opposes the system of State hospitals for miners, created and maintained at the expense of the public treasury. This system does not exist outside of Pennsylvania, and it no doubt owes its origin to the desire of cheap politicians to catch the miners' vote. The last legislature ordered that three of these hospitals should be built in the bituminous coal region, and one in the anthracite. Mr. Biddle says: "If we build such institutions for one class, we are in duty bound to construct them for all the manufacturing classes as well as for miners." This is true; but demagogues cannot be expected to see where the line should be drawn between actual and fraudulent demands upon the legislature for aid to so-called "charities."

A pauper who occupied the same room with a lunatic in the Dauphin County almshouse (Harrisburgh, Pa.), was killed by his room-mate, who struck him over the head when his back was turned.

DOÑA CONCEPCION ARENAL.

The *Rivista di Discipline Carcerarie* prints the following sketch of an illustrious Spanish woman (still living—and we are proud to say that she is a reader of the INTERNATIONAL RECORD), whose name and fame ought to be better known by her American sisters.

Among contemporary students of the prison question, Doña Concepcion Arenal must not be overlooked : a distinguished authoress, of a noble spirit and of rare talent, to whom we are indebted for many important works, and who has shown herself the most ardent and indefatigable promoter of prison reform, in our day, in Spain.

This celebrated woman was born at Ferrol, January 30, 1820.

Her first essay, "Benevolence, Philanthropy, and Charity," made a great impression, and was awarded a prize by the Royal Academy of Moral and Political Sciences.

Some time afterward, another book of hers, "A Manual for Visitors to the Poor" (which was subsequently translated into English, German, and Polish *), attracted the notice of Señor Menaz Zorilla, at that time Director-General of Prisons, and of Señor Baarnoude, Minister of the Interior; and she was given a commission, in 1864, as Inspector of Prisons for Women. But upon the fall of the Ministry, a new Director-General of Prisons was appointed, and Señora Arenal left the position which she had so ably filled just after the issue of her very useful "Letters to Convicts," in which she explained the theory of criminal justice, and demonstrated the necessity for enforcing legal penalties.

Two years later, in a little work entitled "The Criminal, the Populace, the Hangman, and the Dealth Penalty," she attacked, in a brilliant way, the practice of executing criminals in public.

At the close of the revolution of 1848 she was reappointed to her former inspectorship, but not permanently nor for a long time, since she belonged to the administration which was dissolved by the proclamation of the republic.

After this event neither the government nor the various philanthropic societies which busied themselves with the moral interests of the degraded classes, availed themselves further of the experience and special knowledge which she had gained by means of profound study pursued with uncommon intelligence and enthusiasm. But she did not cease the prosecution of these studies, as is proved by numerous important contributions to the literature of penology, which have secured for her beyond dispute an exalted rank among the cultivators of prison discipline.

During the conservative reign of Isabella II., as well as under the liberal reign of Amadeus I., and afterwards under the republic, many serious hindrances impeded the humanitarian and social work undertaken by her, of correcting the abuses which existed in the administration of the Spanish prisons, and of introducing into them all the reforms demanded by the progress of penitentiary science and the exigencies of our modern civilization. Doña Arenal bitterly mourned over this state of things, and, speaking of the difficulties which she encountered in the noble efforts of her apostolate, she said that she was a wheel which could not be made to fit in with any other in the Spanish government, and least of all in the administration of the prisons.

During the early part of her official career as a Prison Inspector, Señora Arenal founded, conjointly with the illustrious and charitable Countess De Mina, a society of ladies, with the noble object of visiting prisoners; comforting them by loving counsels; teaching them to read, write, and cipher; in a word, to try to accomplish their reformation, and to lead them back to right feeling, through the voice of charity. The good done by this society was very great, until its efficiency was impaired by the suppression of the prison of Corogna and the massing, by a ministerial decree, of all convicted women in a single establishment.

In the year 1869 a pamphlet with the title "An Examination of the Principles Adopted by the Cortes for the Reform of Prisons," set forth with clearness and precision Señora Arenal's views on this important subject, and was read not only by the constituted authorities, but by men of science and by the public.

Despite the rejection of her suggestions, this great woman did not lose heart, firm in her convictions derived both from study and from experience; and in 1870, in connection with Señor A. Guerola, she founded *The Voice of Charity*, a journal of charities and correction, in which for four years she valiantly pled the cause of the poor and of the prisoner; but she had the pain of seeing it discontinued when family affliction and the failure of her health would no longer admit of her sustaining, by the force of her own genius, the only periodical publication of this nature which existed in Spain.

In 1875 Señora Arenal published a notable work, "The Penal Colonies of Australia and the Penalty of Deportation," a memoir rewarded with a prize by the Royal Academy of Moral and Political Sciences, in which she argued against this mode of punishment for moral and economic reasons. We cite the authoritative critical opinion of this work expressed by the distinguished Roeder, in which, after having examined it, though for various reasons he did not share her beliefs, yet he declared that it revealed in its author "an originality and elevation of thought which place her in the rank of the first thinkers of Europe.

In 1877 she published a pamphlet, "The Model Prison," which was a critical review, both technical and financial, of the plans for the construction of the new cellular prison at Madrid.

To the Second International Prison Congress, which assembled at Stockholm in 1878, Señora Arenal sent a report, in which all of the questions included in the programme were discussed by her; and it was printed in the transactions, by dividing it up and inserting it, paragraph by paragraph, under the several topics to which different portions of it pertained. It was afterward published *in extenso*, in the book by the lamented Dr. E. C. Wines (Cambridge, 1880), "The State of Prisons and of Child-Saving Institutions in the Civilized World," who says of it : "The paper embodied in this division of my book was prepared by Doña Concepcion Arenal, of Spain, for the Congress of Stockholm. Doña Arenal is a lady of extraordinary grasp and vigor of intellect, and of high social and moral standing in her own country, who devotes her life to the study and expression of social questions, particularly that which relates to the prevention and repression of crime. She is an authority in her own country and in Europe. The present discussion covers sixteen questions in the science of convict treatment. Though brief, it is thorough; and no lack of completeness is felt. It is original, and profoundly philosophical; and the method is such that almost every statement is in itself an argument. In this respect Madame Arenal strongly resembles Jonathan Edwards. Without agreeing to every proposition laid down by the author, I regard most of what she has said as sound doctrine on the subject to which it relates, and I think that it will be generally accepted as such by the students of penitentiary science."

The chapter on the prisons of Spain, in the work by Dr. Wines just quoted, was also written by Doña Arenal. In the account given by her of these prisons, she had to say that they were in bad condition, and she does not try to hide the fact, though there are many who believe that statements which give an unfavorable impression of their own country ought not to be published abroad. But she justifies her frankness in the following words: "Such is the state of the prisons in Spain, set forth with exactness, which ought never to be smoothed over by a pretended patriotism, because the love of country, so pure and so elevated, cannot take on the form of a lie. No, a genuine love of country speaks the truth, which shines like an aureole, blackens like sin, or wounds like a needle. Truth, alas! is not to-day an aureole for Spain. Her honest children ought to make her understand this, to the end that she may correct what is wrong; that she may blush on hearing the accusatory voices which come from beyond the mountains and the seas, accompanied by noble examples which she ought to imitate. The greatest evil and the greatest offence that can be done to a people is to flatter it; and those who are ready to sacrifice themselves for their country will never sacrifice the truth in her supposed interest."

In the year 1883, in a letter addressed to the Director-General of the Penitentiary Administration, published in the *Bulletin* of the French Prison Society for the month of April of that year, relating to the then approaching International Prison Congress of Rome, she vigorously sustained the necessity and expediency, for the advancement of the cause of prison reform, of admitting to its deliberations the unofficial element. Among many other reasons for this opinion, she observed that governments are not teachers, but learners (and very often lazy pupils), of what science has to impart to them; and that, if there are in the administration men of courage and information, there are others who lack these qualifications; hence the necessity for a union of the official and non-official elements, since the latter, being much more numerous than the former, may be able to furnish a larger amount of information and, therefore, to be even more useful than they. She concluded by expressing her desire that the commissioners appointed to prepare the work of the Congress might organize it both of officials and of other persons having no other title to admission than their knowledge and their benevolence.*

Under the title of "Criminal Clinics," Señora Arenal contributed a remarkable article to the *Bulletin* of the French Prison Society for November, 1886, on the subject of a proposal voted by the Congress of Anthropology, held in Rome in 1885. By this vote the Congress begged of the prison administration that it would, while taking the precautions as to internal discipline demanded by social security and the personal liberty of the prisoner, admit to criminal clinics, in the prisons, professors and other persons pursuing the study of penology; and also students of criminal law, of psychiatry, and of medicine, the latter to be under the observation and control of their instructors, and, preferably, under the guise of members of prisoners' aid societies. With a logic inspired equally by the scientific spirit and by a profound practical familiarity with the subject, Señora Arenal combated the granting of the petition. Quoting the saying of an eminent Spanish physician, respecting physiognomical likenesses, that "at first view we perceive the resemblances and afterward the differences" between faces, she expressed a doubt whether, if criminal clinics in the form proposed should be established, a tendency would not be manifest to note points of analogy between crime and disease, without taking sufficient account of the distinction between the two. Coming to the practical application, she remarked that the Congress of Anthropology itself recognized the obligation to respect the discipline of the prison and the liberty of the prisoner, but that it would be impossible to harmonize the granting of its request with either one or the other. But even were it possible, she continued, the prisoners who would present themselves for clinical examination would be, in a cellu-

* In French also.—Ed. RECORD.

* Her wish was fulfilled, since the unofficial element was largely represented in the Rome Congress.

lar prison, those who want to leave their cells to see and talk to any one, no matter who or where. In a congregate prison, they would be such as desire any interruption whatever in the monotony of their lives—the weak-minded, who like to attract notice from any one, for any reason; the "blow-hards," who make a parade of their courage when not in danger; the "toughs," who spend their time in the agreeable display of their toughness; the jokers, who find amusement in befooling those who believe their lies, or have compassion on their simulated sufferings; the hypocrites, who are continually acting a part, for the sake of making profit of the sympathy of visitors and securing their influence to procure for them a pardon or a commutation of sentence; finally, a certain number of convicts who see, in every event or circumstance whatever, even in such as cannot in the smallest degree contribute to the amelioration of their lot, a new ground for hoping that it will henceforth be somewhat less painful. These, Señora Arenal says, would be the only subjects for a criminal clinic, and they would be the least fitted for it, because of their insincerity. Nor are the difficulties in the way lessened when we pass from the consideration of the observed to that of the observers. Man is in himself an enigma; the criminal is still more so. Psychology is the most difficult of all sciences; and, notwithstanding the wisdom, knowledge, prudence, sagacity, earnestness, and good faith of the professor, a criminal clinic, given to persons not initiated into this branch of study, and especially to callow students, would easily lead to erroneous judgments, to personal impressions not at all correct, and to conclusions wanting in logic. Pointing at the distinctions which exist between a medical clinic and the one petitioned for, Señora Arenal draws a comparison between a condition of disease and one of criminality, and shows how fallacious, in respect to crime, observations and studies made by the self-same methods and tests must be. She insists that scientific observations on criminals can be made only by the physician, the chaplain, the visitors appointed by prisoners' aid societies, professors, employés, who possess the requisite gifts of heart, of intellect, and of character, to make themselves loved and respected by the prisoner; and then this observation must be without preconceived opinions, and its purpose must not be apparent to the prisoner himself. Only those who see the criminal in his natural state, in his hours of discouragement, and of resignation, when he revolves schemes of vengeance in his brain, or resolves to reform; when in his rage he curses the witnesses who testified against him, or in tears recalls the memory of his mother; when he lies, and when he speaks the truth; when he broods in sullen silence, or opens his heart with effusion; — only those who individually, one by one, but alike inspired by the loftiest sentiments of charity and devotion, get near to the prisoner, can know any thing of what passes in his mind, or furnish facts of any value to criminal psychology. She concludes that remarkable essay with the two following sentences: "As it is written in the gospel, 'Seek ye first the kingdom of God and his righteousness, and all these things shall be added to you,' so may it be said, 'Seek first the amendment and consolation of the criminal, and to this it will be added that you shall arrive at a knowledge of him.' He who approaches him with no other aim than that of studying him will never know him: here, the path of humanity is the sole path of science."

To the publications above cited, which especially relate to the prison question, may be added others, not a few of which attest the extraordinary activity of this eminent woman. We select, from among the chief: "The Pardoning Power in its Relation to Justice," in which she opposes, by varied and profound arguments, the abuse of the right of grace; "Popular Education," a memoir which was awarded a prize by the Royal Academy of Moral and Political Sciences; "Letters to a Working-Man" and "Letters to a Gentleman," in which she discusses the most important of all social questions, addressing in the first the disinherited classes, and in the second those who have property, —that is to say, the masses and the governing whole, elaborating with acumen remarks worthy of the closest attention; "Pictures of the War," a descriptive account of the civil war in Spain, having for its aim to make war odious; "Slavery," a work awarded a prize by the Spanish Abolition Society; "Realism and Reality in the Fine Arts and in Poetry"; besides a great number of verses, pamphlets, and occasional articles on various subjects.

And in all her writings are revealed not merely a lofty intellect and a rare capacity, but the most exquisite gifts, and a tenacity of purpose which, in spite of her disillusions, has kept alive in her a youthful enthusiasm for her noble apostolate and for the cause of prison reform, to which she has dedicated her life.

It is an awful thing (says the London *Globe*) that there should be such persons as Margaret Cain, who has been convicted of drunkenness no less than 230 times at various metropolitan courts. But there is a touch of grim humor about the woman's last exploit, which has procured her a two hundred and thirty-first conviction. She turned up, "very, very drunk," at the Leman Street Police Station, and began singing "Home, Sweet Home."

Jennie Gibson, a handsome girl of sixteen, living with her parents in Arkwright, N. Y., has never seen the world by daylight, though enabled by lamplight to sew and read just as clear as anybody. Up to the age of four or five years she was believed to be totally blind. The parents noticed that after the lamp was lighted she gave evidence of seeing; and gradually this power of sight grew upon her until the little one played with her dolls and toys by artificial light as eagerly as other children by daylight.—*Tribune.*

OUR BOOK TABLE.

Lunacy in Many Lands. By G. A. Tucker, Sidney. Charles Potter, Government Printer. 1887.—Pp. 1564.

Dr. G. A. Tucker, of Australia, proprietor of a private lunatic asylum in Sidney, made, in the years 1882–85, a tour of inspection of institutions for the insane in North America and Europe, which is perhaps without an exact parallel in history. He travelled in all about 140,000 miles in the accomplishment of this undertaking, and visited over 400 asylums, at his own cost. The book before us contains a record of his observations. It is an official document, printed by the government of New South Wales. Of course it contains a great deal of information, yet candor compels us to admit that we are disappointed in it, for the reason that it does not appear to be sufficiently well digested. The author makes, concerning the different establishments, remarks which are to a great extent repetitions—such as: "Divine service is held every Sunday"; "the stairways are all of wood"; "water is supplied from the town main"; "no fixed dietary scale is in use"; "the doors all open into the rooms"; etc., which are not particularly interesting reading. A large part of the book is made up of extracts from the latest published reports in Dr. Tucker's possession, in which much is included which is of no special importance or value. More valuable are his abstracts of the lunacy laws in the different countries visited by him. But we have been most interested in the introduction, in which he gives his general calculations, which show that his judgment on nearly all points connected with the care of the insane is sound.

He opposes overgrown institutions, and large and expensive buildings, and thinks it important that asylums should be built where friends of the patients can visit them often and without much expense. He believes that patients should be given the utmost possible degree of personal freedom, and that their comfort should be thoroughly looked after, especially in the back wards. The tendency to the congregation of patients in large dormitories, manifest in England at the present time, is in his opinion excessive and contrary to the best principles of classification. The criminally insane ought to be entirely separated from the non-criminal, and cared for in distinct institutions. The great evil in many asylums is the insufficient number of attendants, which, he truly says, "means multiplicity of restraints." On the subject of visitation we quote the following:

> Generally speaking, the official visitation of asylums is open to three objections: (1) The visits are not frequent enough; (2) they are made at stated times; (3) the inspection is not sufficiently minute. In my opinion, non-official visitation and inspection are at least equally important with the official. Asylums should be more freely open to inspection by the medical profession and the public of all classes: they should at all reasonable times be accessible to friends of patients and representatives of the press. The hall porter should keep a register of all persons visiting the patients, stating whether they had been seen or not, and if not, giving the reason why. The visitation or outside supervision in all parts of the world is not adequate to the necessity which exists for it. The law in most countries enforces the residence of the insane within the walls of the asylum for the protection of the general public, and that being so, the law should also take care to surround the persons it thus confines with the largest possible guaranty for that care and proper treatment which their helpless condition and incapacity for self-protection require. But it is too often the case that the patient has little or no protection on taking up his residence among strangers, and in many instances he is soon abandoned by his nearest friends, only because of the cost and difficulty of access to the asylum, or from the belief and assurance that there is no hope of recovery. Under these circumstances, it is no wonder that patients settle down into a state of chronic insanity: the mind works on itself for months, hoping for the freedom which never comes. It is absolutely necessary that insane people should have some one to talk to; therefore outside visitation should be more general than it is.

We note with approval his remark that large asylums are not of necessity conducted at a less cost per capita than small ones, even in the case of chronic patients. He thinks that additional guaranties against the improper detention and incarceration of alleged lunatics are necessary, and sug-

gests that medical certificates of insanity should not operate as orders of commitment, but should merely be taken as opinions upon which the district lunacy commissioner (or court) should act according to his judgment and on his own responsibility. The statistics of recovery given in the reports of institutions are, in his opinion, misleading. Public notice should be given of all deaths in institutions. Not enough attention is paid to microscopical and pathological research, which is due to the want of a sufficient medical staff and of a proper division of their duties. He laments the absence of mortuaries in by far the greater number of establishments. In the matter of diet, dietary tables are undesirable; the utmost possible freedom in this particular should be allowed to the superintendent. More occupation for patients than is usually found is necessary and proper. He found in many asylums an undue proportion of mechanical restraints. In one institution he found over two hundred women in camisoles, wristlets, straps, etc., secured upright to racks around the day-room. In another there were forty women in beds, ironed hand and foot, and extended in spread-eagle fashion at three o'clock in the afternoon. The bath, either shower or immersion, is a favorite means of tranquilizing excited patients. In the cupboard shower-bath the patient is subjected to a continuous downpour of water; and this, in some cases, as a punishment at the option of the attendants, without the sanction of a medical officer. In the cupboard hot bath, the head alone protruding, the patient is confined, unable to move, from one to twelve hours at a time, and in many instances unattended, with the water at a temperature 34° Centigrade, and often with cold water dropping on the head. He does not favor airing-courts. On the other hand, he says:

> There can be no valid objection to affording every facility to patients to relieve their minds, by the exercise of their right of free complaint; on the contrary, the existence of such a right suggests many advantages. As a means to this end, writing materials should be accessible to the patients at least once a week, and locked letter-boxes (the key of which should be in the possession of the commissioner of the district) should be freely accessible to the patients, without interference of any kind. It should be the duty of the commissioner to read and forward all letters of the patients so deposited by them, or to send them to the Minister of the Lunacy Department, with an indorsement of the reasons for not forwarding them as addressed. From the many occupations of the superintendents, the patient is often thrust aside when his heart is breaking for some one to sympathize with him and listen to his wrongs (real or imaginary), or to give him a kindly hearing when he has something to communicate which he considers of importance. A cold indifference or a rude rebuff from a possibly kind-hearted but over-worked superintendent, causes the patient to think that there is no hope for him in this world, and his mental depression is consequently deepened and intensified. I have met with frequent instances of this.

As to curative treatment, it varies so widely in different institutions that it is difficult to summarize it. In a large number of asylums, the medical treatment is merely nominal; many superintendents depend chiefly upon moral and hygienic treatment. The more modern idea is to resort to merely hospital or infirmary treatment, commencing on the admission of a patient, with placing him at once in bed as a sick person. Moral treatment he considers more important than medical, since it is more universally applicable and more likely to be successful in any number of given cases. The increase or decrease of physical restraint is dependant on the way in which the moral treatment is carried out.

He approves of the employment of lady physicians for the treatment of female insane patients, which is however very unusual, except in America and Russia. The most important benefit arising from the presence of a lady physician is, that the female patients suffering from the diseases peculiar to women have a friend and confidante who can comprehend and sympathize with her distressed sisters; and, when necessary, make personal examinations, without causing pain to refined feelings or producing a shock, as too often occurs in the case of female patients, when the physicians are young men or mere boys. The regular visiting, on the male side, of the lady physician, has a very soothing effect, and is conducive to good order and management in the wards. The same is true of female attendants of the right sort, in men's wards.

The boarding-out system presents many advantages, but its application requires great care and circumspection. The Scotch commissioners point out that the difficulties in the way of extending it, are often insurmountable. Persons considered suitable to take charge of the patients are not always easy to find; and often, when found, the modest rate of remuneration available is insufficient to induce them to undertake this duty. As practised at Gheel, he thoroughly disapproves of it; neither does he admire the English system of single patients under the care of a general medical practitioner. Patients of this description must be under less official protection than those in an ordinary private asylum, where official visits are frequent and the inspection very searching. In many cases it is to be suspected that the patient is left to the care of the maid-of-all-work, or the housemaid; while the ladies of the house treat him with cold indifference, and only tolerate him as a disagreeable means of augmenting an inadequate income.

The chief causes of insanity he finds to be: heredity, intemperance, general dissipation, and over-work with insufficient and improper food. Heredity and intemperance take the leading places; and he thinks that perhaps it would not be unsafe to assume that, in the majority of cases, hereditary insanity has its origin in alcoholism. Maniacal insanity is much more rare than in former years. At the present time melancholia and dementia are the prevalent forms of this disease. The almost universal opinion of superintendents is, that insanity is now more curable than formerly; but, in Dr. Tucker's opinion, that belief is quite erroneous, and there is no real reason for it. He admits, with reluctance, that insanity is increasing in a higher ratio than the increase of population. He advocates the formation of lunacy districts under special district commissioners; it should be the duty of the commissioners to countersign the certificates of admission, on view of the patient only; the certificate itself should be a mere medical opinion, and the responsibility for the incarceration of the patient should be thrown upon the commissioner countersigning it. It would be well if the commissioner had the assistance of a select committee of ladies to help him in the inspection of the female wards. This committee should have power of visitation at all reasonable times and without notice; and their reports should be made to the district commissioners.

The Iowa Institution for Feeble-Minded Children has a clerk whose name is *Records*.

This truth, that human nature is a kaleidoscope of good and bad rather than one stripe of plain color, receives a striking illustration in the case of one Vincenzo Juliano, who is confined in the Newark jail on a charge of murder. According to a report, it was noticed that the prisoner grew weaker and more meagre day by day. His wife visited him regularly, and she invariably carried away with her on her departure from the jail a small parcel. The suspicions of the warden were aroused, and he made an inspection of the bundle, to find it containing the ration of food with which the prisoner had been supplied. Inquiries followed, and it appears the prisoner was starving himself to provide food for his wife and children, who had no other means of support. On learning this fact the warden doubled the ration, and took further steps to keep the family of the prisoner from utter destitution.—*New York Commercial Advertiser.*

Dr. Mercier is about to publish, as an introduction to the scientific study of insanity, a work on the nervous system and the mind. It will contain an exposition of the new neurology as founded by Herbert Spencer and developed by Hughlings Jackson; an account of the constitution of mind from the evolutionary standpoint, showing the ways in which it is liable to be disordered, and a statement of the connection between nervous functions and mental processes as thus regarded.

Quinine as a Cause of Deafness—Beware of too much quinine (in hay-fever). It will produce a congestion of the ear; it will produce an irritation of the auditory nerve. I have been led firmly to believe that deafness was produced by overdoses, and the long-continued use of quinine. I think there are many cases to-day, whose hearing might be fairly good, if they had never touched quinine.—Dr. S. S. Bishop.

BY THE DAY.

There are two sorts of work in life. One is mechanical and involves comparatively slight responsibility. We use the word mechanical in a wide sense, and do not wish to be understood that we speak only of hand-work. What we mean to say is that it can be taken up and laid aside, and dismissed from the mind whenever the worker is not actually engaged in it. The work of a clerk, a copyist, or of a calculator, for instance, may be said to be mechanical, since it requires little original thought or invention, and tends to become automatic. Such work is often and properly paid by the day.

But professional work is of a different description and should never be so paid. In the first place, it requires long and special preparation, at great expense for the necessary education, at a time when nothing is or can be earned; and this preliminary expenditure must be reimbursed to the professional man. In the second place, brain-work, for most men, is performed at irregular intervals and not at a uniform pressure, but, so to speak, by spurts. The greater the pressure, the higher the rate of speed. After an extra effort, the mind must rest, in order to recuperate. The mind may be compared to a field which, at one season of the year, is idle; at another, the seed is sown in it; and at still another, the seed germinates, matures, and the crop is harvested. The growth of thought is like the hidden growth of an animal; fully matured ideas do not appear until the moment of birth arrives, when they come forth, as it were, in an instant; but the period of gestation prior to birth is also labor and a serious drain upon vitality. A literary man or an artist may be doing the best work at a moment when he is apparently most unengaged. A lawyer, with an important case on his hands, may decide in his head what points to emphasize and how to manage and illustrate his argument before the court, while walking the street, or smoking a cigar under a tree in a hammock, or trolling a fish-line from the stern of a boat. He does not know himself, perhaps, and could not tell, just when or how he does his work; a physician might be able to say when, if he could determine on which of several successive days the lawyer eliminated the largest amount of phosphorus from his brain. Many instances are on record in which intellectual problems have been solved in sleep. Great responsibilities can never be thrown off, by day or by night; their weight rests perpetually upon the shoulders which have to carry them. He who undertakes to carry a difficult enterprise to completion, and whose reputation depends upon his success or failure, has not a moment of his life in which he does not feel the strain upon him, wherever he may be and whatever he may be doing.

Two conclusions must be drawn from this view of the distinction between kinds of work:

The first is that the head of an institution, or of a bureau, or of a department, or of any business concern, cannot be held to a desk or to hours, in the way in which subordinates must be held.

The second is that, for some sorts of work, pay by the day is absurd. We have in mind, as an example, the pay of a penitentiary commissioner. When the State employs a competent man for this position, what does it buy of him? Not his time. It buys the time of a guard, or of a cook, but not of a commissioner. What he contracts to give is necessary oversight, business experience and skill, political influence, his counsel, his name, his character and reputation. He alone can judge how much of his time it is necessary or proper for him to devote to the duties of the position, in order to discharge the obligation which he has assumed. His compensation should never be *per diem*, but by the year.

The principle which we have indicated will be found, upon reflection, to be of very wide application, both in public and private affairs. The maxim holds good everywhere, that details must be left largely to subordinates, and a principal must see that his subordinates do not neglect them. He must plan, they must execute. In his ability to do this in such a way as to achieve results, lies the secret of executive ability. It is for him to think, for others to act; and he is paid for thinking. His will is the motive power of the organization entrusted to his control, and he is paid for the exercise of his will.

The only case in which professional skill may be rightly remunerated by a *per-diem* stipend is where professional work is required only for a brief period of time, and then it is or should be remunerated at a high rate—high enough, to say the least, to secure the best talent and integrity; for character and brains are the cheapest commodity that any man can buy.

THE MONROE COUNTY PENITENTIARY.*

The Rochester *Post-Express* prints a brief but interesting history of the Monroe County penitentiary, as follows:

The Monroe County penitentiary, better known as the "workhouse," was completed in the fall of 1854, and, on the evening of October 18th, eighteen prisoners who were confined in the jail were taken to the new institution in a carryall. The supervisors had selected Z. R. Brockway, an experienced prison officer, as superintendent, and he was aided in starting the institution by Louis D. Pilsbury and another officer from the Albany penitentiary. Mr. Brockway had been connected with the Connecticut State prison at Wethersfield, and with the Albany penitentiary under Amos Pilsbury, and was regarded as an expert in prison management. He resigned, in 1861, to accept the position of superintendent of the Detroit House of Correction, and was subsequently given charge of the Elmira reformatory.

Of the eighteen "pioneers" who first occupied the cells at the new county prison, but one—Ann Plunkett—survives. Ann served innumerable terms at the penitentiary, and was then graduated to the almshouse. She comes to the city at irregular intervals, and when she has "celebrated," she appears at the station and demands that she be taken care of.

Levi S. Fulton (now superintendent of the State Industrial School) was chosen superintendent of the penitentiary in the fall of 1861. In 1869 Captain Fulton resigned and was succeeded, January 1, 1870, by Alexander McWhorter.

During the thirty-three years the penitentiary has been in existence, 30,681 prisoners have been received; and during Captain McWhorter's administration, 20,000 have been registered. The earnings of the institution since 1870 have exceeded $400,000. But one "deficiency" has been reported during the last ten years. This was in 1883, when the old shoe contract expired, and the men were idle for months. The shortage that year, when there was no income which amounted to any thing, was but $2,875.55. After deducting that sum, the net gain to the institution in the last ten years is $13,166.96. At the close of the fiscal year, September 30, 1887, the credit balance of the institution showed cash on hand and bills receivable amounting to over $16,000, and on that day the penitentiary did not owe a dollar to any one. This is something which has occurred but once before in the history of the institution, and that was under Captain McWhorter's superintendence. The excess of earnings over expenditures during the year ending September 30th, was $4,087.51.

The position of superintendent of the penitentiary has always been regarded as non-political. Superintendents Brockway and Fulton, both Democrats, were elected and re-elected by Republican boards of supervisors, and Superintendent McWhorter was once re-elected by a Democratic board.

Mr. McWhorter has resigned the superintendency; and the county supervisors, by a strict party vote, elected Deputy Sheriff Charles A. Webster as his successor over the Democratic candidate for the place.—MR. BYRON D. DEAL.

Many patients come to us who would find in the hospital wards of English workhouses their appropriate place, shattered in body, and mentally helpless because of their physical helplessness. But if these are cases of lunacy, then every old man or woman who has a stroke of paralysis is a lunatic; for no rigid line of distinction can be drawn between the one and the other. They are not raving lunatics; they are neither homicidal, suicidal, dangerous, nor destructive; they are no more offensive to decency than any other paralytic who, by his helplessness, requires the cleansing offices of a nurse from time to time. They may wander in their talk, but it is quite an inoffensive delirium. They may be childish, or have lost their memory; but these are nothing strange in a hospital ward. It does not take long to exhaust the affection of their relatives, because, from paralysis, they are "wet and dirty"; the hospital will not have them, and they are not good enough for the poorhouse; but "wet and dirty," though it never appears in the medical certificate, is the reason for their removal to an asylum. Nervous diseases are very much on the increase, and if they are to be confounded with lunacy, in the ratio of their increase, the structural character of asylums must undergo extensive alteration, and their limits be considerably increased.—DR. CLARK (Glasgow).

* Of New York.